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ELEMENTS

OF

MORAL PHILOSOPHY.

BY THE

REV. JASPER ADAMS, D. D.,

PRESIDENT OF THE COLLEGE OF CHARLESTON, SOUTH CAROLINA, AND (EX OFFICIO) HOBBS
PROFESSOR OF MORAL AND POLITICAL PHILOSOPHY; MEMBER OF THE ROYAL SOCIETY OF
NORTHERN ANTIQUARIES, AT COPENHAGEN; MEMBER OF THE AMERICAN ACADEMY OF ARTS
AND SCIENCES, AT BOSTON, &c.

“Nulla enim vitæ pars, neque publicis neque privatis, neque forensibus neque domesticis
in rebus; neque si tecum agas quid, neque si cum aliquo contrahas, vacare officio potest:
in eoque colendo sita vitæ est honestas omnis, et in negligendo turpitude.”

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MORAL PHILOSOPHY

REV. JASPER ADAMS, M.D.

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TO
THE HONORABLE
JOSIAH QUINCY, LL.D.,
PRESIDENT OF HARVARD UNIVERSITY,
THIS VOLUME
IS RESPECTFULLY INSCRIBED
BY
THE AUTHOR.

P R E F A C E .

IT seems appropriate to begin this volume by stating the circumstances under which it is presented to the public.

On the 8th of October, 1828, the late Elias Horry, Esq., made a donation of ten thousand dollars to the trustees of the College of Charleston, South Carolina. The instrument, by which the donation was conveyed to the Trustees, declares the design of the donor in making it to have been, "to assist the Trustees to establish a professorship in the College, of which the Principal for the time being shall be the Professor." In a letter dated the same day, the founder wrote to me thus ; — " God, in distributing his mercies and his favors, has been eminently bountiful to my family, and lastly to me ; and it is but just, that those, to whom his favors have been bestowed, should acknowledge his goodness by rendering services to others, and more particularly to the community in which they dwell. I confess, that my feelings, on this day, have been uncommon and peculiar. My mind has always been anxious for the prosperity of my country, and particularly for Charleston, my native city ; and, if my donation to the College shall hereafter prove a benefit to our youth, I shall consider my reward as rich indeed."

In accepting this donation, the Trustees say, "The memory of such an act will not pass away with our transitory existence.

Ordinarily the fruits of benevolence perish with their immediate appropriation ; but, in this instance, they will be enjoyed by the living, and be preserved in their original bloom and freshness for future ages. As long as literature and science, and the improvement of the minds and morals of the rising generation, shall be cultivated among us, the name of the distinguished patron and promoter of these inestimable objects will be gratefully associated with them.”* On the 25th of October, 1829, the founder, in communicating his “intentions respecting his professorship,” to the Trustees, says, among other things, “It is further his intention, that for ever hereafter, the Lectures delivered on Moral and Political Philosophy, by every Principal of the College of Charleston as the Horry Professor, shall be printed and published, from time to time, in such manner as the Trustees and Principal of the said College shall judge expedient, and for its benefit.” In a letter to me of 2d of February, 1829, after referring to these “intentions,” he says, “I thought it best to trammel the professorship but little, and to leave as much as possible to the judgment, talents, and learning of the Principal of the college, and to the changes both in morals and politics which in the course of time may happen. I am glad to hear, that you have commenced your preparations for delivering your Lectures, and I look forward with great pleasure, to the good which will result from them.”

Again, in a letter of the 3d of June, 1829, he says, “I consider Moral Philosophy to be that branch of science, which treats of man in his individual capacity, and of the moral and intellectual qualities of his mind. Political Philosophy, I consider as applicable to men in their public capacities, whereby civil societies are formed, governments are established, and laws are framed or enacted, in the first instance, for the guidance of each society, state, or nation, and afterwards to regulate the inter-

* Resolution, introduced to the Board of Trustees by the Hon. William Drayton, and unanimously approved, on the 13th of October, 1828.

course of states or nations with each other, both in peace and in war, thereby forming laws for the guidance of nations. You have properly expressed what I understand by Political Philosophy, or Political Law, by the terms 'constitutional and international law,' regarding, however, each State in our union or confederacy, as a sovereign State or community. The treatise on Political Law which I studied, was that of Burlamaqui, who was professor of law at Geneva. Since his time, Europe has changed, the human mind has become in a manner reorganized, and in America the greatest of all the republics known to the world has been established. A treatise on Political Law or Philosophy, on the plan of Burlamaqui's, or Vattel's, or of any other distinguished jurist, but to suit our age, our national government, and the governments of our States, would come fully up to my ideas. I will here repeat," continues he, "what I mentioned to you in a former letter, — that I would wish to trammel the professorship but little, and to leave as much as possible, to the judgment, talents, and learning of the professor; who will suit his Lectures to the changes both in morals and politics which time will occasion."

Again, in still another letter, of the 20th of January, 1830, he says, "Although the composition of your Lectures has cost you great literary labor, and the time which would otherwise have been devoted to relaxation from your important duties, yet in the end you will be rewarded by the great public good you will render to the present, and every succeeding generation of youth in our city, and by the pleasure, — by the satisfaction you will ever enjoy, in having, by your learning, made a large contribution to the cause of literature."

It will be seen by the documents, which the founder of this professorship has left behind him,* and which have been quoted above, that he contemplated a series of works to be published on Moral and Political Science, as a consequence of his munifi-

* He died on the 17th of September, 1834. (H. ...)

cence. These documents have made known his wishes and expectations with a fulness and definiteness, which leave nothing to be desired. And the great and frequent complaints, which have been recently made, that the persons, to whose trust benefactions of this kind have been committed, have very extensively failed to apply them in good faith to accomplish the objects designed by the donors, led me to an immediate determination to use my utmost endeavours to meet the expectations and justify the confidence, which the late Mr. Horry reposed in me, and which chiefly influenced him, I have the best reason to believe, to found his professorship in the College of Charleston. I was unwilling that the fault should be ascribed to any want of exertion on my part, if his expectations were not answered.

Guided by these views, and acting under the influence of these sentiments, I formed my original plan for executing his "intentions" as made known by himself. I proposed ultimately to write and publish, 1. An Elementary Treatise of Moral Philosophy. 2. A Constitutional History of the United States. (3. An Elementary Treatise on the Constitutional Law of the United States.*) 4. A Treatise on the Law of Nations.

The volume now presented to the public is the first fruit of the founding of this professorship, so far as publication is concerned. The preparation of the second of the contemplated series, — a Constitutional History of the United States, — is far advanced, and it is intended to publish it, as soon as it can be revised and completed. Some small progress, too, has been made in the fourth of the series originally contemplated.

In writing this treatise of Moral Philosophy (which was at first written in the form of lectures), I have carefully kept in view several principles by which I have intended to guide myself.

1. It has been the leading part of my plan, to treat of *practical*

* In consequence of the publication of Mr. Justice Story's "Commentaries on the Constitution of the United States," this part of the author's plan has been relinquished.

morals as distinctly as possible from any other subject. There has been some difficulty in doing this, because the department of practical morals is intimately connected with the theory of morals, with law, and with Christian theology. I have been the more particular in observing this rule, because I have seen an admixture of theology and moral philosophy, which I consider injudicious, in several late treatises of moral philosophy.

2. Again, it has been an essential part of my plan, to write a treatise of *Christian* morals, — to collect, expand, and illustrate the moral principles and precepts of the Bible. To this end, I have endeavoured to keep close to the letter and spirit of the Old and New Testaments, considering myself, when treating of *the morals*, no less than if I had been discussing *the doctrines* of Christianity, bound not to “add unto” or “take away from” * this highest source of wisdom and most authoritative standard of practice as well as of faith.

3. My plan has embraced *the elements* of practical morals only, and my aim has therefore been to avoid all abstruse, refined, and especially all speculative discussions of the subject. These are not without their measure of importance ; but they are beyond the limits which, at the outset, I prescribed to myself. In drawing this distinction between the elements and the more abstruse parts of the subject, accurate judgment and nice discrimination are requisite, and I may not always have been successful. But the attempt has been honestly made and steadily pursued.

4. I have endeavoured to write an elementary treatise of practical Christian morals, which shall give *no just cause of offence* to any denomination of Christians, or to any religious, literary, or political party in the country. The different denominations of Christians will find their peculiarities very seldom, if ever, referred to, and if referred to at all, always, I trust, respectfully. It is perhaps too much to expect complete success in this particu-

* Revelation xxii. 18, 19.

lar, but I have sincerely *wished* to avoid giving just cause of offence to any individual, or to any body of men whatever.

5. I have endeavoured to treat practical morals *in a manner suited to the wants of the present day*. This remark has respect both to the selection of topics for discussion and illustration, and to the application of principles to the tendencies, events, and general circumstances of the passing times. The principles of practical morals are the imperishable principles of truth, and are not *in themselves* subject to change; but the proper mode, in which they are to be illustrated and applied, varies, in a greater or less degree, according to the form of government, the structure and condition of society, the employments, and the state of education, general intelligence, &c., in a country. It is the duty of each succeeding writer on any science, to reproduce and incorporate into his work, whatever is most valuable in the works of preceding writers on the same science; otherwise knowledge cannot be expected to advance, and might possibly retrograde. But in addition to this, it has been my aim to combine in my work whatever of fresh and novel interest is entitled to attention. To this end, I have availed myself of all the materials which diligence, vigilant search, and enterprise could bring within my reach. I have, during many years, purchased all the books and pamphlets published upon Moral Philosophy or any of its topics, which, I have had reason to believe, were worth purchasing. The science of practical morals is not stationary, much less is it incapable of advancement. Like other sciences, it depends in a certain degree on experience, and successive writers ought to aim to collect, and register in their works, the well matured results of experience. This volume seems to me to contain a considerable number of new results of this kind.

6. In treating the various subjects which make up this volume, I have not thought my duty fulfilled by presenting my own unassisted reflections and conclusions; though to have satisfied myself with such a course would have been a task comparative-

ly free from difficulty. The truth is, practical Christian morals form a branch of science, depending quite as much on authority as any other science whatever. The writer of an elementary treatise on any branch of the law presents his conclusions sustained, limited, modified, and otherwise qualified, by the best authorities with which his learning and research have furnished him. To this end, he consults statutes, the decisions of the most authoritative tribunals, the comments and illustrations of men learned in the science, and uses them all in aid of his own acquirements made by reading, observation, and reflection. In like manner, the science of morals does not consist of the opinions, sentiments, and conclusions of one or of a few men. The Scriptures of the Old and New Testament, the law of the land, the illustrations, amplifications, and deductions of the great masters of reason and argument, who have adorned the annals of mankind, both in ancient and modern times, are to be constantly consulted by the moral philosopher, and their labors are to be used in aid of his own.

7. As this Treatise is designed for the use of our higher institutions of learning, as well as for private reading, it has been my aim to select, from the very wide circle of subjects embraced within this science, those which are fitted to be most useful to the young men who resort to those institutions for education, and to treat them in a manner suited to their situation and wants. In discussing and illustrating the various subjects selected, it has been my aim to convey as much pertinent and valuable matter as possible, in a clear, direct, and condensed style. The most suitable order and arrangement, too, in which to dispose my materials have engaged my attention. I have brought to the composition of the work, a spirit of patient labor and a desire to be useful. I have endeavoured, moreover, to infuse into every part, a healthful moral tone, suited to cherish the candor, modesty, sincerity, ingenuousness, and docility of temper, which are the greatest ornament of youth, and the highest promise of future success and usefulness in life. I have permitted no occa-

sion to pass by unimproved, which I might fairly use, to inculcate an elevated sense of justice, of integrity, of honor, of dignity, and of independence of feeling, sentiment, and action. All these are elements of an enlightened sense of duty, the strengthening and maturing of which, is, of all things, the most essential in the formation of character.

Next to religion, the moral interests of a nation are its highest interests, and practical morals have an intrinsic claim to be universally studied and understood. Studies pertaining to moral duty, that is, to personal conduct, may well claim precedence of every other. It is not important, that every man should be acquainted with Algebra and Geometry, though these sciences are not without their use to any one ; but it is important, that every man, whatever may be his vocation, should be acquainted with practical morals. Still, the importance of Moral Philosophy is not so generally acknowledged as it ought to be, and it has been very much neglected, in almost, if not quite all our institutions of education.

Moral Philosophy has important relations to, and connexions with law ; and, on these parts of the subject, I have sometimes stood in need of the aid and advice of gentlemen learned in the law. My acknowledgments are due to Mitchell King, C. G. Memminger, and George W. Eggleston, Esquires, of Charleston, for considerable assistance rendered in this way. While residing at Cambridge to superintend the printing, similar assistance has been given me, with much kindness and courtesy, by Simon Greenleaf, Esq., Royall Professor of Law in Harvard University, and by Mr. Justice Story, of the Supreme Court of the United States. Invited "to consult them as often as it suited me," several of my chapters have derived the greatest advantage from the consultations which were thus encouraged. President Quincy, also, with his accustomed liberality, and without waiting to be applied to, opened to me all the facilities of the University.

Cambridge, 4 September, 1837.

ANALYSIS OF THE CONTENTS.

PRELIMINARY PRINCIPLES AND DISCUSSIONS.

| | Page |
|---|------|
| Moral Philosophy is founded on the moral constitution of man, | 1 |
| Moral Philosophy partly theoretical and partly practical, | 2 |
| There has been great diversity of sentiment on the <i>theoretical</i> part, | 2 |
| Illustration of this observation by examples taken from philosophers, ancient and modern, | 2 |
| There has been a remarkable coincidence of sentiment among mankind on the <i>practical</i> department of morals, | 6 |
| This position sustained by argument, and by numerous authorities, | 6 |
| This general concurrence of sentiment among mankind lays a firm foundation, on which to build a system of <i>practical</i> morals, | 10 |
| Two objects are specially contemplated in practical morals. 1. The formation and cultivation of a permanent, strong, and delicate sense of duty. 2. A knowledge of the principles and rules which determine our duty in the various situations and relations of life, | 11 |
| Analysis of the sense of duty, and its beneficial influence, | 11 |
| Conscience is an element of our mental constitution, | 14 |
| Its office is to judge and prescribe in morals, and to pronounce a definite sentence on our conduct, | 14 |
| Its decisions are to each individual his supreme moral guide, | 14 |
| The last three positions confirmed by argument, by a brief historical review, and by numerous authorities, ancient and modern, | 14 |
| To insure safe decisions, however, the conscience must be guided and enlightened, and the mind must be kept free from passion and prejudice, | 28 |
| The conscience is to be guided and enlightened from several sources, | 29 |
| 1. By the law of the land; but this is an imperfect guide, | 29 |
| 2. By looking to the consequences of our conduct; but this, too, is an imperfect and a subordinate guide, | 33 |
| 3. By the Scriptures of the Old and New Testament; and these supply the defects of the two preceding guides, | 37 |
| To confirm this last position, the Scriptures are reviewed, under the divisions of the Patriarchal, Mosaic, and Christian dispensations, | 37 |
| The patriarchal dispensation is chiefly distinguished for facts and institutions having a moral bearing and influence, | 38 |
| Review of the moral character of the Mosaic dispensation, | 39 |
| Review of the moral character of the Ten Commandments, | 39 |
| Review of the morality of the Psalms, the Proverbs, and the Apocrypha, | 41 |
| Review of the morality of the Christian dispensation. The morality of the Gospel is superior to that of the patriarchal and Mosaic dispensations, | 43 |
| Its design was, so far as morals are concerned, to furnish <i>motives</i> to moral conduct, rather than <i>rules</i> ; <i>sanctions</i> , rather than <i>precepts</i> , | 44 |

| | Page |
|---|------|
| Christianity is the only religion which has ever contemplated extending itself and its blessings through the earth by peaceable means, | 44 |
| This characteristic of Christianity is more extraordinary than we are accustomed to suppose, | 45 |
| Confirmation of this, by reference to the sentiments, designs, and actions of the ancient founders of cities, lawgivers, philosophers, &c., | 44 |
| Other chief characteristics of the morals of Christianity, | 50 |
| Our Saviour's character a part of the morality of the Gospel, | 55 |
| Tests by which to try the moral sublimity of his character. 1. The design of his coming. 2. The nature of the means which he employed to accomplish his' sublime and beneficent design. 3. The personal qualities displayed by him. 4. The effects actually produced by Christianity thus far, and those which we may anticipate, | 57 |
| An objection to the science of Moral Philosophy anticipated, | 60 |

PART I.

OUR RELATION TO GOD, AND THE MORAL DUTIES THENCE ARISING.

CHAPTER I. ELUCIDATION OF THIS HIGHEST OF OUR RELATIONS, AND OF THE MORAL INFLUENCE OF A BELIEF IN A SUPREME BEING.

| | |
|--|----|
| Our conception of the Deity unites in itself the richest moral elements, all that is fair, great, and good, whatever bears the impress of beauty, grandeur, sublimity, order, harmony, dignity, and happiness, | 66 |
| Hence, the character of the Deity is to us a fixed and ultimate standard of moral excellence, by the contemplation of which, the tendencies of man to wickedness are counteracted, and human nature rises above its natural condition, | 66 |
| This argument respecting the special moral influence arising from a belief in God, and his superintending providence, confirmed, | 67 |
| 1. By an appeal to the recorded sentiments and convictions of all nations which have left any writings, | 67 |
| 2. By citing the sentiments of the American revolutionary Congress, | 69 |
| Belief in God, then, and his superintending providence, is alike the foundation of morals and religion, | 70 |
| Case of the heathen who knew God, but glorified him not as God, | 70 |
| To preserve that strong conviction and deep sense of God, which is the root and branch of practical morals, we must perform the duties which spring from the relation in which we stand to him, | 71 |

CHAPTER II. THE GENERAL DUTY OF REVERENCING GOD.

| | |
|--|----|
| Analysis of the reverence which we owe to God, | 71 |
| Tendency and effect of levity, ridicule, sneering, and scoffing at religion, | 72 |

CHAPTER III. THE DUTY OF WORSHIPPING GOD.

| | |
|---|----|
| There is a distinction between reverencing and worshipping God, | 73 |
|---|----|

| | Page |
|--|------|
| The special object of Divine worship, is to keep up in the mind a habit of devotion and reverence, | 73 |
| Divine worship, private and public, is both natural and reasonable, | 74 |
| This position illustrated by examples, and confirmed by argument, | 74 |
| The chief objection against prayer answered, | 76 |
| The subject matter of which prayer and thanksgiving ought to consist, . . . | 77 |
| Remarks on the part of Divine service which consists of preaching and catechetical instruction, | 79 |
| Importance of catechetical instruction, | 82 |
| The benefits, public and private, of Divine worship, | 82 |
| 1. It does not seem possible, in any other way, to keep up any practical knowledge of God, and the ascendancy of Christian principles, | 83 |
| 2. A large part of mankind have but small opportunities of receiving moral and religious instruction elsewhere than at church, | 84 |
| 3. Habitual joining in a common religious service has a tendency to unite mankind in the bonds of a common fellowship, and to cherish and enlarge the generous affections, | 84 |
| 4. The various classes of mankind meet each other, in the church, on something like equal terms, and this tends to check the exclusive spirit nourished by the artificial distinctions of human pride and power, | 85 |

CHAPTER IV. THE OBSERVANCE OF SUNDAY.

| | |
|--|----|
| The moral influence of the private and public worship of God, makes the observance of Sunday a matter of great moment in the view of the moral philosopher, | 86 |
| Review of the early history of the Hebrew Sabbath, | 87 |
| The question, whether the institution known originally by the name of the Sabbath, and in later times by the name of Sunday, was designed, save the mere change of the day, to be the same, and to be of perpetual obligation,—argued and answered in the affirmative, | 88 |
| The duties which constitute a suitable observance of Sunday, | 95 |
| 1. A cessation from labor; except the labor of attending and performing Divine service, and works of necessity and mercy, | 96 |
| 2. Attendance on public worship, private prayer, reading, meditation, and the instruction of children and servants, | 97 |
| 3. The appropriation of a part of the day to the moral and religious instruction of children in Sunday schools, is one of the greatest moral improvements of modern times, | 97 |

PART II.

OUR RELATION TO OUR COUNTRY, AND THE MORAL DUTIES THENCE ARISING; THAT IS, THE DUTIES OF PATRIOTISM.

| | |
|--|-----|
| Christianity has made obedience to civil government imperatively binding on the conscience, | 100 |
| But Christianity does not teach unlimited obedience to civil government, much less does it inculcate a servile spirit, | 100 |

| | Page |
|--|------|
| No obedience, too, is owed by any one, where the consequence must be a violation of his duty to God, | 100 |
| The duty of civil obedience is prescribed in the New Testament in strong terms, because of the overwhelming evils of anarchy and revolution, | 101 |
| The right of revolution begins, at the point where civil obedience ceases to be a virtue, | 101 |
| What this point is, those who undertake a revolution must judge for themselves, | 101 |
| Mr. Burke quoted in illustration of this subject, | 101 |
| Our Declaration of Independence has marked the right and duty of resistance with as much definiteness as seems practicable, | 102 |

CHAPTER I. MORAL DUTIES OF RULERS OF EVERY GRADE.

| | |
|--|-----|
| Rulers of every grade occupy a common ground, and sustain a common relation to their country, from which spring important moral duties, | 103 |
| It is their duty to guard themselves against faction and party spirit, which have been the bane of all free governments, | 103 |
| The peculiar facilities for usefulness, which they enjoy, are a great moral trust, and it is their duty to use them to advance the interests of education, good morals, humanity, religion, &c., | 106 |
| The dignity of office, by an easy transition, passes over to him who fills it; and, therefore, rulers are especially bound, in conscience, to see that their example in private be salutary in its tendency and influence, | 108 |

CHAPTER II. DUTIES OF THE CITIZENS TOWARDS THE CIVIL MAGISTRATE.

| | |
|--|-----|
| The New Testament ranks these among the most important moral duties, | 110 |
| Civil governors are entitled to a fair, candid, and even favorable representation of their sentiments, conduct, and official measures, | 111 |
| They are entitled, too, to a fair and reasonable active support, until their conduct has been such as to forfeit a liberal confidence, | 112 |
| Even when an administration comes into office against our wishes and endeavours, they are still entitled to be judged by their measures, | 112 |
| A line of distinction reasonably definite, drawn between a factious and a principled opposition, | 113 |
| The sentiments of Mr. John Quincy Adams on this subject, cited, | 114 |

CHAPTER III. THE DUTY OF THE CITIZEN IN REGARD TO THE EXERCISE OF THE ELECTIVE FRANCHISE.

| | |
|---|-----|
| It is the duty of the citizen to exercise the elective franchise with integrity and discretion, | 115 |
| The elective franchise is rightly regarded as a <i>public trust</i> , | 115 |
| In this country, this trust is one of much dignity and importance, | 116 |
| It is an abuse of this trust to exercise it in furtherance of any private and selfish end, | 116 |
| Two questions of practical difficulty discussed. 1. How far a man may rightfully act with a party in times of public excitement. 2. How far, and in what ways, he may attempt to influence the votes of other electors, | 116 |
| Several practices common at elections animadverted on, | 118 |

| | Page |
|--|------|
| CHAPTER IV. THE DUTY OF THE CITIZENS TO CULTIVATE A PATRIOTIC SPIRIT AND THE PATRIOTIC VIRTUES. | |
| In the first stages of society, the great body of the people of every country were soldiers, | 119 |
| Much of the martial spirit has descended to our times, and is regarded by many as almost the exclusive test and evidence of patriotism, | 120 |
| Such a view of patriotism is unnatural, illiberal, and unreasonable, | 120 |
| Patriotism analyzed into its elements, and illustrated by citing Vattel, | 120 |
| The martial spirit and virtues were esteemed superior to the peaceful spirit and civil virtues, in the time of Cicero, but this opinion was not received by him, | 122 |
| Moral power is the chief tower of strength to a country, | 122 |
| Hence a man may become a distinguished patriot, and be entitled to the highest honors of patriotism, without commanding an army, | 122 |
| CHAPTER V. THE DUTY OF CITIZENS TO KEEP THEMSELVES WELL INFORMED RESPECTING PUBLIC MEN AND PUBLIC MEASURES. | |
| Such information is necessary to exercise the elective franchise with integrity and discretion, | 123 |
| The founders of our political institutions relied for success on universal education, correct information, and good moral habits among the people, | 123 |
| To this end, our constitutions and laws have made education a subject of special recommendation and encouragement, | 123 |
| This position confirmed and illustrated by references to the constitutions and laws of the individual States and of the United States, | 124 |
| CHAPTER VI. THE DUTY OF THE CITIZEN TO AID IN THE DEFENCE OF HIS COUNTRY, AND IN THE ADMINISTRATION OF JUSTICE, BY SERVING ON JURIES, GIVING TESTIMONY ON OATH, &c. | |
| It is easy to understand, that peace is the interest of all nations, | 127 |
| Still, the most even-handed justice has not always secured this invaluable blessing to a nation, | 127 |
| We may trust, that hereafter an international tribunal may be established for the adjustment of national controversies, | 127 |
| In the mean time it is the duty of the citizen to aid in the defence of his country, | 128 |
| The trial by jury commended, and the duty of the citizen to serve on juries, and to qualify himself for such service, explained and enforced, | 128 |
| The distinction between <i>malum prohibitum</i> and <i>malum per se</i> , when made for the purpose of obeying one law and evading another, entirely unsound, | 131 |
| CHAPTER VII. MORAL DUTIES OF THE UNITED STATES, REGARDED AS COMMUNITIES, TO ONE ANOTHER. | |
| States, kingdoms, commonwealths, all civil communities, are moral persons, responsible for their acts, and charged with various duties, | 131 |
| The United States owe to one another all the duties prescribed by the Law of Nature and Nations, | 131 |
| The foundation of the Law of Nations stated and illustrated, | 131 |

| | Page |
|---|------|
| Certain violations of international duties noticed, | 133 |
| The peculiar duties of the United States to each other respect the preservation of that harmony which so well becomes their intimate union, . . . | 134 |
| Three ways by which this harmony has been disturbed, noticed, | 134 |

PART III.

THE CHIEF RELATIONS OF MANKIND TO ONE ANOTHER, AND THE DUTIES THENCE ARISING.

| | |
|---|-----|
| The importance of these relations, and a partial enumeration of them, . . . | 138 |
| The key to the morals of this branch of the subject given us by our Saviour in Matt. vii. 12. | 139 |

CHAPTER I. THE DOMESTIC RELATIONS AND THE DUTIES SPRINGING FROM THEM.

| | |
|--|-----|
| The family is the original of all societies ; it was instituted by God himself ; and is, of all, the most natural, the most permanent, and the most effective of good, | 140 |
| The family compared with various artificial associations, | 140 |

Section I. The Relation of Husband and Wife, and their Reciprocal Duties.

| | |
|---|-----|
| Almost universally, a Divine origin and a religious sanction have been believed to pertain to this relation, | 142 |
| The importance of the marriage union, and the objects of its institution, not unworthy of its Divine origin, | 143 |
| Polygamy is as inconsistent with the law of nature, as it is with the ordinance of God, | 144 |
| A Scriptural view of the relation of husband and wife, and of its duties, | 144 |
| Two particulars dwelt upon and specially illustrated. 1. The <i>practical</i> tendency and purpose of the union of feeling and sentiment so much insisted on in the New Testament between married persons. 2. The precedence assigned to the husband, and the corresponding obedience enjoined on the wife, | 145 |

Section II. Of Parents and Children.

| | |
|---|-----|
| Children are universally felt to be the first hope and highest interest of their parents, | 148 |
| It is the duty of parents to educate their children. | 149 |
| The extensive sense of the term <i>education</i> , explained, | 149 |
| It is the right and the duty of parents to discipline their children when young, within the bounds of a reasonable discretion, | 152 |
| Valuable extract (in a note) from Lord Woodhouselee's "Life of Lord Kames," pertaining to education and discipline, | 153 |
| As children approach the age of discretion, the parental right of control and discipline is softened down into a right of advice and counsel, | 155 |
| This right of parental advice is specially important in respect to two particulars. 1. The choice of the employments their children are to pursue in life. 2. The connexions in marriage which they may be disposed to form | 156 |

| | Page |
|---|------|
| The case of daughters who are unmarried, and who are likely to continue so, considered, | 159 |
| The duty of children to their parents, | 159 |
| The term "honor" highly appropriate to express this duty, | 159 |
| The special reward promised to children who honor their parents, | 160 |
| Children, during their early years, are to render their parents a prompt and cheerful obedience, | 161 |
| Children are to give their parents the solace of their company and conversation, when they become aged and infirm, | 161 |
| They are bound in conscience to meet, as far as possible, in after life, the expectations formed of them by their parents, | 161 |
| <i>Section III. Of Brothers, Sisters, and more remote Relatives.</i> | |
| The relation of brothers and sisters furnishes the natural foundation and occasions of permanent friendship and intimacies, | 162 |
| A peculiarity in the affection between a brother and a sister, noticed, | 165 |
| The degree, in which the more remote domestic relations are cherished, depends very much on the state of society in a country, | 166 |
| <i>Section IV. Relation of Master and Servant.</i> | |
| Servants have been reckoned a part of the families of their masters from the earliest times, and the relation has been familiar in every country, | 168 |
| The Scriptural view of this relation and of the duties of the respective parties, | 168 |
| Mr. Reeve enumerates five classes of servants, but a division into three classes, is sufficiently accurate for the author's purpose, | 169 |
| Correlative rights and duties of masters and apprentices, | 170 |
| Correlative rights, duties, and responsibilities of masters and servants, who become such by their own contract, | 171 |
| Correlative duties of masters and servants who are "born in the house or bought with the money of their masters," | 174 |
| Cautions given to masters, and the abuses to which this relation is most liable, adverted to, | 175 |
| Extract from the manuscript records of the Court of Appeals of South Carolina, pertaining to the law of master and servant, | 175 |
| CHAPTER II. THE RELATION OF PRINCIPAL AND AGENT. | |
| This relation embraces attorneys, brokers, factors, &c., | 176 |
| The general principle of the morals of principal and agent stated, | 177 |
| This relation may be created by a written document, or verbally without writing, or by an acquiescence in the <i>assumed</i> agency of another, | 177 |
| Distinction between a confidential and a ministerial agent, | 178 |
| General principles of the intercourse between the principal and his agent, in respect to confidence reposed, the observance of good faith, the abuses of the relation, &c., | 178 |
| The case where the agent is made responsible for the issue of any business or enterprise intrusted to him, considered, | 180 |
| The class of cases in which the person employed advises and directs his employer, | 181 |

CHAPTER III. THE OBSERVANCE OF TRUTH.

The observance of truth is the chief of the personal virtues, and a disregard of it is among the most flagrant offences against manners, morals, and religion, 181

Scriptural authorities on this subject cited and reviewed, 181

Importance of an adherence to truth tested by the *consequences* of general and indiscriminate falsehood, 182

The chief cases in which truth is violated, reviewed, 183

1. When facts, reasonings, &c., are suppressed or omitted, with the knowledge or belief, that any one will thereby be led into error, 183
2. By speaking or writing with a view *to produce a particular effect*, but without much regard to the truth of what is spoken or written, if it is fitted to accomplish the desired end, 184
3. By the practice of repeating narratives and statements, without much or any inquiry into their credibility, and without much regarding whether they are true or false, 186
4. Certain forms of expression usual in fashionable circles of society, seem to be inconsistent with the sincerity of character and the simplicity and directness of intercourse, in which much of truth consists, 187

The case of a servant's denying his master, examined, 188

CHAPTER IV. OATHS.

The use of oaths on solemn occasions, coeval with the dawn of history, . . 190

The forms of oaths, and the ceremonies accompanying their administration, have been various in different ages and countries, 190

In respect to the form, the principle is now well established, that every man when admitted to an oath, shall be bound by the highest sanctions of his own religion, 192

An oath is a religious act,—its signification explained, 192

History, argument, and experience combine to satisfy us of the efficacy of oaths as securities for truth and integrity, 194

Complaints in regard to the abuse of oaths, have, during many years past, been frequent and general in England and the United States, 196

Summary of the author's sentiments on this part of the subject, 197

The New British statute of the 9th of September, 1835, by which *declarations* are *very extensively* substituted instead of *oaths, solemn affirmations, and affidavits*, reviewed, and commended for imitation in the United States, 198

Notice of oaths which are not binding, and of extra-judicial oaths, . . . 199

CHAPTER V. OBSERVANCE OF PROMISES.

The non-observance of promises is the next highest and most dangerous infraction of good faith, after falsehood, 200

Difference between a promise and a declaration of intention, 200

The meaning to be attached to a promise when its terms admit of more senses than one, 202

The manner in which promises are affected by conditions, 203

Our obligation in respect not only to promises, but to declarations and even to our conduct, is measured by the expectations which we knowingly and voluntarily excite, 204

| | Page |
|--|------|
| The cases in which promises are not binding, reviewed, | 205 |
| The nature and obligation of vows, considered, | 213 |

CHAPTER VI. OBSERVANCE OF CONTRACTS.

| | |
|--|-----|
| The rule which in conscience governs the construction of all contracts stated, | 214 |
| There is a gratifying and instructive coincidence between the rules of Christian morals, and the rules and doctrines of the law, in regard to contracts, | 214 |
| The principles of Christian morals are recognised as the standard of the rules of law, and every contract, inconsistent with good morals, is against law and void, | 220 |
| This position illustrated by materials drawn from Story's "Equity Jurisprudence" and "Conflict of Laws," | 220 |

CHAPTER VII. THE DUTY OF MUTUAL ASSISTANCE.

| | |
|--|-----|
| Christian benevolence much more expansive than the limits of good-will, quoted from Plato and commended by Cicero, | 226 |
|--|-----|

Section I. Assistance given in the Way of Advice.

| | |
|--|-----|
| It is only necessary to look into the records of biography, to be convinced how much good may be done, in this way, to the young, the modest, and the inexperienced, | 227 |
| A striking instance illustrative of this observation, cited, | 228 |

Section II. Assistance given in the Way of our Employments and Professions.

| | |
|--|-----|
| This way of doing good is particularly in the power of legislators, officers in the civil, military, and naval service, lawyers, physicians, clergymen, &c., | 229 |
|--|-----|

Section III. Assistance given in the Way of Judicious Patronage and Encouragement.

| | |
|--|-----|
| Many persons, eminently useful and successful in life, have testified, that they owed all their success and usefulness to a little timely assistance and encouragement, | 231 |
| Several examples given by way of illustration; among the rest, the case of Dr. Franklin, and a still more remarkable instance related by the Assistant Bishop of Virginia, | 231 |

Section IV. Assistance in the Way of Almsgiving.

| | |
|---|-----|
| No duty more frequently or more earnestly insisted on in the New Testament than almsgiving, | 233 |
| With two directions given us by our Saviour, we are left to consult our own reason and experience in regard to the limits of the duty, the proper subjects of it, the most suitable occasions of its exercise, &c., | 234 |
| Almsgiving is a practical problem, to wit, to relieve the suffering poor effectually, and, at the same time, not to minister to vice and the increase of pauperism, | 234 |
| Christian almsgiving is among the great topics which have of late years engaged the attention of some of the best minds in Europe and in this country, | 234 |

| | Page |
|---|------|
| Former mistakes on this subject adverted to, | 234 |
| The chief abuses of almsgiving stated and illustrated, | 235 |
| Education, especially moral and religious education, the most beneficial of all the modes of almsgiving, | 238 |
| Furnishing the poor with employment is another unexceptionable way of benefiting them, | 239 |
| Alms given in considerable sums, to meritorious persons and families, may, <i>under certain circumstances</i> , be highly useful, | 240 |
| Alms dispensed through the intervention of hospitals, almshouses, infirmaries, and asylums, considered, | 240 |
| Alms dispensed by charitable societies, considered, | 241 |
| Several popular objections to charitable societies, stated, | 241 |
| Five special rules given to direct charitable societies and individuals in dispensing alms, | 242 |
| The administration of alms by a system of poor-laws, examined, | 248 |
| Remarkable statements drawn from the late "Reports" of the English commissioners on the poor-laws, | 248 |
| The new act of Parliament on this subject adverted to, | 253 |

CHAPTER VIII. THE DUTIES OF FRIENDSHIP.

| | |
|--|-----|
| The question, whether mankind are accustomed to associate by the influence of a natural principle, or by reason of the mutual aid which they can in this way derive from each other, answered, | 253 |
| The importance of using caution in the choice of friends; | 254 |
| The chief duties of friendship enumerated and illustrated, | 255 |
| The chief abuses and violations to which friendship is liable, | 259 |
| The duties imposed by the discontinuance of friendship, | 261 |

CHAPTER IX. THE RELATION OF BENEFACITOR AND BENEFICIARY, AND ITS DUTIES.

| | |
|---|-----|
| The nature of this relation stated, and the chief duties of the respective parties illustrated, | 263 |
| Two ways in which this relation may be abused by a benefactor, | 264 |

CHAPTER X. THE DUTIES OF HOSPITALITY.

| | |
|---|-----|
| The Scriptures of the Old and New Testament insist very much on these duties, | 264 |
| The natural fruits of hospitality are, the cultivation of social intercourse, mutual kindness and good feeling, and the removal of unjust prejudices, | 265 |
| Two manifest abuses of hospitality to be guarded against, | 265 |

CHAPTER XI. THE DUTIES OF GOOD NEIGHBOURHOOD.

| | |
|--|-----|
| The chief duties of good neighbourhood are, to render mutual aid, and to cultivate friendly intercourse, harmony, and good feeling among those, whose lot Providence has cast near each other, | 267 |
| The chief duties enjoined by <i>law</i> among neighbours, stated, | 268 |
| The chief causes, occasions, and circumstances, which are accustomed to disturb and injure neighbourhoods, reviewed, | 269 |

PART IV.

PERSONAL DUTIES AND OBLIGATIONS, OR THE DUTIES OF
MEN TO THEMSELVES.

| | Page |
|--|------|
| CHAPTER I. THE DUTY OF PRESERVING LIFE AND HEALTH, INCLUDING A DISCUSSION OF SUICIDE. | |
| Christianity looks upon our life and health, and all our other endowments, as so many talents intrusted to our administration, for the use of which we are responsible, | 271 |
| The duty of preserving life and health means much more than abstaining from positive and known injury to either; — it includes the use of the means of preserving them, | 272 |
| Suicide examined and shown to be opposed by philosophy, as well as by religion both natural and revealed, | 272 |
| CHAPTER II. IMPROVEMENT OF THE CORPOREAL FACULTIES. | |
| A good constitution of body, and a high improvement of the corporeal powers, are the result of a judicious and persevering physical education, | 278 |
| The aid of the Roman satirist, Juvenal, used, in describing the perfection of the physical, intellectual, and moral man, | 278 |
| CHAPTER III. CULTIVATION OF THE POWERS OF THE MIND. | |
| Mental cultivation and excellence of whatever kind are, with slight qualifications, the fruit of the personal sacrifices, efforts, and energy of the individual, | 279 |
| The various faculties of our nature should be cultivated in due proportion, harmony, and consistency with each other, | 280 |
| The ancient opinion, that scientific knowledge is attainable but by a few, must, with the present facilities of printing, be received with much qualification, | 281 |
| CHAPTER IV. CULTIVATION OF A STRONG, DELICATE, AND PERMANENT SENSE OF DUTY. | |
| The being governed by a sense of duty comprises a suitable regard to every consideration, principle, sentiment, opinion, relation, fact, and circumstance, from which any duty of any kind can spring, | 289 |
| CHAPTER V. THE DUTY OF CULTIVATING PERSONAL RELIGION AND THE PERSONAL VIRTUES. | |
| The sentiments of Lord Chatham and of the late Sir Humphrey Davy on the importance of cultivating personal religion, cited, | 291 |
| The importance of cultivating the personal virtues and the best means of doing so, illustrated by the examples of President Edwards and Dr. Franklin, | 294 |
| The cultivation of personal religion and of the personal virtues contributes essentially to health, length of days, and success in the business of life, | 300 |

| | Page |
|--|------|
| CHAPTER VI. THE DUTY OF CULTIVATING A DELICATE SENSE OF HONOR. | |
| True honor analyzed by the aid of Cicero, and shown to consist of the finest elements of feeling, of sentiment, and of action, | 302 |
| False honor is the misunderstanding, the abuse, and the perversion of true honor, | 303 |
| CHAPTER VII. THE DUTY OF GUARDING OURSELVES AGAINST PREJUDICES, ANTIPATHIES, &c. | |
| The effect of prejudice, prepossession, bias, &c., is, to disturb the reason, to cloud and darken the understanding, and to pervert the conscience, | 304 |
| In their more intense degrees, they are unquestionably criminal, and they all imply something wrong in our habits, education, ways of thinking, or usual state of feeling, | 305 |
| History of prejudice illustrated by reference to personal experience, | 308 |

PART V.

A REVIEW OF THE CHIEF PROFESSIONS AND EMPLOYMENTS OF LIFE, SO FAR AS REGARDS THE MORAL DUTIES WHICH THEY INVOLVE; THEIR MORAL PRINCIPLES, PRACTICES, INFLUENCES, AND TENDENCIES.

| | |
|---|-----|
| To the various professions and employments of life, a well-ascertained rank in general estimation is attached, which has been much the same at all times, and in all countries. | 309 |
| Illustration of this position drawn from the writings of Cicero, | 309 |
| CHAPTER I. A REVIEW OF THE PROFESSION OF THE LAW, INCLUDING A MORAL ESTIMATE OF THE LEGAL PROFESSION, SO FAR AS IT NATURALLY COMES UNDER THE VIEW OF THE MORAL PHILOSOPHER. | |
| All the best authorities insist, that good morals are essentially requisite to the attainment of the highest order of excellence and success in the study and practice of the law, | 311 |
| This position sustained by authority and argument, | 311 |
| Professional honor and integrity will forbid the lawyer to engage in a business of notorious wrong; but here a nice distinction arises, | 313 |
| Two very manifest principles laid down by Sir James Mackintosh, | 313 |
| The acquirements most essential to the success of the lawyer, | 315 |
| The main tendency of the legal profession is, to elevate the moral character, but there are incidental tendencies, which, unless guarded against, will degrade the personal and professional character of the lawyer, | 315 |
| A striking difference between American and English lawyers, noticed, | 318 |
| Anticipations of Mr. Justice Story in respect to American lawyers, | 319 |
| Duties of the lawyer towards his client, | 320 |
| The judicial character is naturally the perfection of the character formed under the influence of the study and practice of the law, | 321 |

| | Page |
|---|------|
| The judicial qualities requisite to the successful administration of justice, enumerated, | 321 |
| There are various occasions in the life of a judge, of which he ought to avail himself to advance and strengthen the cause of good morals, | 322 |
| The general unsullied purity of the English and American Bench, noticed, | 322 |
| CHAPTER II. THE MORAL INFLUENCE AND TENDENCY OF THE STUDY AND PRACTICE OF MEDICINE AND SURGERY, WITH THE DUTIES OF A PHYSICIAN TO HIS PATIENTS, TO THE FAMILIES INTO WHICH HE IS ADMITTED, TO OTHER PHYSICIANS, AND TO SOCIETY IN GENERAL. | |
| Result of Dr. Rush's inquiry into the lives of physicians, | 323 |
| Defects imputed to physicians, and ascribed to the study and practice of medicine, | 324 |
| The inquiry, whether the study and practice of medicine tend to originate and nourish infidel feelings and sentiments, answered, | 325 |
| Sir Henry Hallford quoted respecting the duty of a physician to make his patient acquainted with the probable issue of a malady manifesting mortal symptoms, | 327 |
| The confidential nature of the relation, in which the physician stands to his patient, and to the families into which he is admitted, illustrated, | 328 |
| Circumstances in the medical profession which render competition among physicians more bitter, than among the members of the other professions, adverted to, | 329 |
| The complaints made against physicians, enumerated, | 329 |
| The temperance reformation much indebted to physicians, | 330 |
| CHAPTER III. MORAL INFLUENCE OF THE CLERGY ON SOCIETY, INCLUDING AN ESTIMATE OF THE CLERICAL CHARACTER. | |
| The morals of the clergy are the natural exemplification of the religion which they preach, | 331 |
| "By their fruits we are to know" all men, and, when subjected to this reasonable test, the Christian clergy, as a body of men, will not be found wanting, | 331 |
| But more particularly, — Christianity was planted and built up chiefly by the labors, dangers, sufferings, and privations of the clergy, in every country which now enjoys its blessings, | 332 |
| The clergy have taken the lead in establishing institutions of learning, and other institutions which have meliorated the condition of mankind, | 335 |
| The <i>general</i> influence of the parochial clergy on manners, morals, and whatever else is ranked under the comprehensive term <i>civilization</i> , has been most effective and salutary, | 337 |
| This position confirmed by a striking quotation from Dr. Arnold, and by the testimony of the "Edinburgh Review," | 337 |
| Two defects generally imputed to the clergy, examined and answered, | 339 |
| CHAPTER IV. MORAL INFLUENCE AND DUTIES OF MEN OF LETTERS. | |
| Men of letters form a class considerable in point of numbers, and still more so in respect to the influence which they exercise on society, | 340 |

| | Page |
|--|------|
| Men of letters are chiefly responsible for the use which is made of the press, the most mighty instrument for good or for evil, ever known, | 340 |
| The distinction between the freedom of the press and its licentiousness, stated and illustrated, | 341 |
| The press is abused, when it is employed to circulate slander, misrepresentation, calumny, and falsehood, in any of its forms, modifications, or degrees, | 343 |
| Men of letters criminally abuse the press, when they make their writings the vehicle of immoral sentiments, or employ them to rouse and inflame the licentious passions, | 344 |
| The press is still more criminally abused, when it is turned to the disparagement, misrepresentation, and vilification of the Christian religion, | 344 |
| Remarks on the influence of Gibbon's "History of the Decline and Fall of the Roman Empire," | 346 |
| Duty and interest of men of letters to use their knowledge for the good of society, | 346 |
| It is their duty to supply the public with the materials of reading, of an appropriate kind and in the greatest abundance, | 347 |
| CHAPTER V. MORAL TENDENCY AND INFLUENCE OF AGRICULTURE AS A PROFESSION. | |
| The antiquity, dignity, and importance of agriculture, | 348 |
| Traits of character which the pursuit of agriculture is fitted to cherish, noticed, | 350 |
| Judge Harper quoted respecting a difference between the agricultural character of the Northern and Southern United States, | 350 |
| CHAPTER VI. MORAL TENDENCY AND INFLUENCE OF COMMERCE AND MERCHANDISE AS A PROFESSION. | |
| The reputation of our country for probity and honor depends on our merchants, more than on any other class of our citizens, | 351 |
| Merchants are the peacemakers of the world, for they show it to be the interest and happiness of all to remain at peace; they bring distant nations together, and teach them to know and aid each other, | 352 |
| The risks and perils incident to the pursuit of commerce, described, | 352 |
| Estimation in which American merchants are held in Europe, | 353 |
| The moral duties imposed on a bankrupt merchant, have respect to the approach of his bankruptcy, and again, to the state of things when bankruptcy has actually overtaken him, | 354 |
| The preference given to endorsers and other <i>preferred creditors</i> in cases of bankruptcy, animadverted on, | 355 |
| The education requisite for a successful merchant, | 358 |
| Merchants have generally been held in high estimation, | 360 |
| CHAPTER VII. MORAL TENDENCY AND INFLUENCE OF MANUFACTURING ESTABLISHMENTS. | |
| Notice of the contents of a Report made to the Legislature of Massachusetts, in 1836, which shows the state of feeling and opinion in that State, | 360 |

| | Page |
|--|------|
| Evils of manufacturing establishments in England, and which are beginning to be felt in this country, noticed, and remedies suggested, . . . | 362 |
| CHAPTER VIII. MORAL TENDENCY AND INFLUENCE OF THE VARIOUS MECHANICAL TRADES. | |
| Influence of mechanical employments, according as they are active or sedentary, pursued under shelter or in the open air, | 364 |
| Enumeration of some special moral rules pertaining alike to all the professions and employments of life, | 365 |

PART VI.

A SPECIAL CONSIDERATION OF CERTAIN DUTIES AND VIRTUES, OF A CHARACTER PECULIARLY CHRISTIAN, AND A SIMILAR CONSIDERATION OF CERTAIN VICES AND EVILS

CHAPTER I. DUTY OF FORGIVING INJURIES.

| | |
|--|-----|
| The importance claimed for this duty in the New Testament, and a notice of the difficulties in the way of practising it, | 371 |
| The rule of forgiveness is peculiarly adapted to the nature of man, | 373 |
| It is admirably adapted to man's character and condition, | 376 |
| It is the only way of securing a permanent victory over evil, | 378 |
| The intrinsic nobleness of the rule of forgiveness illustrated, | 379 |

CHAPTER II. CHRISTIAN CHARITY.

| | |
|---|-----|
| The importance ascribed to charity in the New Testament, | 381 |
| The chief particulars in which this duty consists, illustrated, | 382 |
| The chief cases in which this duty is violated, reviewed, | 392 |
| The chief considerations by which this duty is qualified, | 401 |

CHAPTER III. INTEMPERANCE IN DRINKING.

| | |
|---|-----|
| The nature and occasions of intemperance in drinking, | 405 |
| The signs of intemperance, noticed and illustrated, | 409 |
| The chief evils of intemperance, enumerated, | 414 |
| The remedies of intemperance, reviewed, | 416 |

CHAPTER IV. GAMING, INCLUDING AN EXAMINATION OF THE MORAL TENDENCY AND INFLUENCE OF THE LOTTERY SYSTEM.

| | |
|--|-----|
| Notice of the lottery system as a measure of finance, | 419 |
| The moral tendency and effects of this system, illustrated, | 422 |
| It has reduced many persons to insolvency, | 423 |
| It has led to numerous cases of embezzlement, breach of trust, &c., | 424 |
| Intemperance and suicide have very often been the consequences of this system, | 424 |
| The effects of drawing prizes upon those who have drawn them, noticed, | 425 |
| A comparison between the lottery system and ordinary gaming, | 425 |
| Tendency of this system to raise up idlers, gamblers, &c., | 427 |

CHAPTER V. DUELLING.

- Difficulty of treating this subject by argument, because the advocates of this practice do not defend it in this way, 428
- The paper left by Alexander Hamilton reprinted (in a note), and its reasonings carefully analyzed, 429

CHAPTER VI. THEATRICAL AMUSEMENTS.

- Sentiments of the Old Congress respecting these amusements, 432
- The chief objections felt by the great body of serious Christians against theatres and theatrical amusements, stated, 433

CHAPTER VII. IMMORAL INFLUENCE OF SKEPTICISM.

- The skeptical system subverts the foundation of morals, 438
- Its influence on the formation of character is most disastrous, 443
- Especially it nourishes vanity (egotism), ferocity, and sensuality, 444

 CONCLUSION.

REVIEW OF THE MEANS WHICH MAY BE RELIED UPON TO IMPROVE THE MORAL CONDITION OF MANKIND, AND TO ADVANCE HUMAN HAPPINESS.

The moral condition of mankind may be improved,

1. By the extension of Christianity in the earth, 453
 2. By extending education and general intelligence, 457
 3. By extending freedom and well-regulated free institutions, 462
 4. By the effectual prohibition of gaming, the lottery system, &c., 463
 5. By correcting public opinion through the press, the pulpit, &c., 464
- Every thing promotive of good morals, is preëminently productive of happiness; but, to secure this last end, we must more particularly rely
1. On still further inventions in labor-saving machinery, 468
 2. On the reformation of our criminal law, and the codification of our law generally, so far as the nature of the case permits, 471
 3. On the penitentiary system, contemplated as a means of meliorating the condition of mankind, 480
 4. On applying the principles of insurance more extensively than they have been hitherto applied, 485
 5. On the prevalence of the spirit and principles of peace. 490

E L E M E N T S
OF
M O R A L P H I L O S O P H Y .

PRELIMINARY PRINCIPLES AND DISCUSSIONS.

MAN may be viewed under several aspects,—he consists of body and soul,—he has both an animal and a rational nature,—he is both an intellectual and a moral being,—he requires an education suited to his circumstances in this life, and to his destiny and prospects in the life to come. On these several parts of human nature, several sciences have been founded, having for their object to investigate and explain the structure of the human body, and the faculties of the human understanding. These several branches of human nature,—the animal, intellectual, and moral, have been recognised at all times and by all nations ; and the distinctions on which they rest, are even seen in the structure of every language.* It is the object

* “ Words are signs of thought ; and from words themselves (without following them through all their inflexions and combinations in the finished structure of a language) we may see into the natural feelings and judgments of men, before they become warped by the prejudices of sect, or the subtilities of system. If, in reading the ancient writers, we meet with words describing virtue and vice, honor and dishonor, guilt and shame, coupled with the strongest epithets of praise or condemnation ; then we are certain that those things existed as realities before they became words ; or at least, that in the minds of those, who, during the early progress of society, built up the ancient languages, they were considered as realities ; and on that account (and that account only) had their representatives among the symbols of thought. I believe we might in this way make a near approach to a true system of moral philosophy ; and our progress would at every step record a series of judgments, not derived

of Moral Philosophy, to investigate the moral constitution of man and the appropriate sphere of his duties ; to determine the standard by which the various branches of duty may be measured ; and to prescribe rules for our guidance in the principal employments and situations in which men may be called to act, and in the chief relations of life which they are accustomed to sustain.

In moral philosophy, as in most other sciences, there is a practical part, and a part which may be called theoretical or speculative ; and, in respect to the last of these, we shall perceive, by adverting to the history of Ethics, that there has been quite the usual diversity of sentiment which we are accustomed to see among men. Socrates, usually called among the ancients the Prince of Philosophers, maintained, that an action, to be good, must be both useful and honorable (*utile et honestum*) ; and he was accustomed to express the strongest disapprobation of those, who, holding that an action might be useful without being honorable, first drew a distinction between the usefulness and the rectitude of an action.* According to Plato, virtue consists in that state of mind in which every faculty confines itself within its proper sphere, without encroaching upon that of any other, and performs its proper office with that precise degree of strength and vigor which belongs to it.† In the view of Aristotle, each particular virtue lies in a kind of medium between two opposite vices, of which the one offends by being too much, the other by being too little, affected by a particular species of objects. Thus the virtue of fortitude or courage lies in the medium between the opposite vices of cowardice and of presumptuous rashness, of which the one offends from being too much, and

from any doubtful train of reasoning, but forced on men by the very condition of their existence." Again, "The judgment of conscience, declaring to us that we are responsible for our deeds, is recorded in the *language* and institutions of every civilized nation in the history of the world. If this does not satisfy the metaphysician, it is at least enough for the Christian moralist, whose rule of life is simple, and whose light is clear." — PROFESSOR SEDGWICK, *on the Studies of the University of Cambridge*, pp. 33, 70.

* Cic. De Off. Lib. III. c. 3.

† Smith's Theory of Moral Sentiments, Vol. II. p. 69.

the other from being too little, affected by objects of fear. Thus, too, the virtue of frugality lies half way between avarice and profusion, of which the one consists in an excess, the other in a defect, of the proper attention to the objects of self-interest. Magnanimity, in the same manner, consists in a medium between the excess of arrogance and the defect of pusillanimity, of which the one consists in too extravagant, the other in too weak, a sentiment of our own worth and dignity. This view is well expressed by Horace, —

*Est modus in rebus; sunt certi denique fines,
Quos ultra citraque nequit consistere rectum.**

Aristotle also made virtue to consist in practical habits; and, in doing this, he probably designed to oppose the doctrine of Plato, who seems to have been of the opinion, that just sentiments and reasonable judgments, concerning what was fit to be done or to be avoided, were alone sufficient to constitute the most perfect virtue. Virtue, according to Plato, might be considered as a species of science; and no man, he supposed, could see clearly and demonstratively what was right and what was wrong, without acting accordingly. Passion might make us act contrary to doubtful and uncertain opinions, not to plain and evident judgments. Aristotle, on the contrary, was of opinion, that no conviction of the understanding merely, was capable of insuring a control over inveterate habits, and that good morals consisted not so much in knowledge, as in action.†

According to Zeno, the founder of the Stoical doctrines, virtue consisted in choosing and rejecting all different objects and circumstances, according as they were by nature rendered more or less the objects of choice or rejection; in selecting always, from among the several objects of choice presented to us, those which were most to be chosen, when we could not obtain them all; and in selecting too, out of the several objects of rejection offered to us, those which were least to be avoided, when it was not in our power to avoid them all. By choosing and rejecting with this just and accurate discernment, by thus bestowing upon every object the precise degree of attention it de-

* Sat. I. i. 106, 107.

† Smith's Moral Sentiments, Vol. II. p. 70.

served, according to the place which it held in this natural scale of things, was maintained, in the view of the Stoics, that perfect rectitude of conduct, which constituted the essence of virtue. This was what they called living consistently, living according to nature (*convenienter naturæ vivere*), and obeying those laws and directions which nature, or the author of nature, has prescribed for our conduct.*

The system of Epicurus agreed with those of Plato, Aristotle, and Zeno, in making virtue to consist in acting in the most suitable manner to obtain the primary objects (*prima naturæ*) of natural desire. It differed from them all in two respects; 1. in the account which it gave of those primary objects of natural desire, and, 2. in the account which it gave of the excellence of virtue, or of the reason why that quality ought to be esteemed.

The primary objects of natural desire consisted, according to Epicurus, in bodily pleasure and pain, and in nothing else; whereas, according to the other abovenamed philosophers, there were many other objects, such as knowledge, such as the happiness of our relations, of our friends and of our country, which were ultimately desirable for their own sakes. Virtue, moreover, according to Epicurus, did not deserve to be pursued for its own sake, nor was itself one of the ultimate objects of natural appetite, but was eligible only upon account of its tendency to prevent pain and to procure ease and pleasure. In the opinion of the other philosophers, on the contrary, virtue was desirable, not merely as the means of procuring the other primary objects of natural desire, but as something which was in itself more valuable than all of them.†

Nor has this diversity of sentiment on the theory of morals been confined to the ancient philosophers. Modern writers have not concurred in their views on the *theoretical* part of the subject. The opinion of Dr. Samuel Clarke is, that moral obligation is to be referred to the eternal and necessary differences of things; and he makes virtue to consist in acting suitably to the different relations in which we stand. Wollaston's theory is, that moral good and evil consist in a conformity or disagreement

* Smith's Moral Sentiments, Vol. II. p. 71.

† Idem, p. 93.

with truth, in treating every thing as being what it is. Lord Shaftesbury makes virtue to consist in maintaining a proper balance of the affections, and in allowing no passion to go beyond its proper sphere. Dr. Paley teaches, that it is the utility of any action alone, which constitutes the obligation of it.* Dr. Adam Smith resolves moral obligation into propriety, arising from feelings of sympathy. Mr. Bush considers the communicated will of God the grand expositor of human duty; while Dymond says, that this will not merely *declares* the distinction between right and wrong in regard to moral conduct, but also is itself the constituting cause of moral good and evil.† The immutable principles of morality necessarily result, says Dr. Appleton, from the nature of things, and from the relations which they have to one another. As God is the author of all things, the relations subsisting between them may be considered as depending on him. But, while objects continue in all respects as they are, no change can be produced in their relations. It is absurd, continues he, to ascribe to Deity the power of changing vice into virtue, or virtue into vice.‡ Right and wrong, says Dr. Price, denote what actions are. Now whatever any thing is, that it is, not by will, or decree, or power, but by nature and necessity. Again, the natures of things being immutable, whatever we suppose the natures of actions to be, that they must be immutably. If they are indifferent, this indifference is itself immutable. The same is to be said of right and wrong, moral good and evil, as far as they express real characters of actions. They must immutably and necessarily belong to those actions, of which they are truly affirmed.§ “God hath given us,” says Bishop Butler, “a moral faculty, by which we distinguish between actions, and approve some as virtuous and of good desert, and disapprove others as vicious and of ill desert. This moral discernment,” continues he, “implies a rule of action, and a rule of a very peculiar kind; for it carries in it authority and a right of decision; authority in such a sense, that we cannot

* *Ipsa utilitas, justi prope mater et æqui.* — Hor. Sat. I. iii. 98.

† See Editor's Preface to Dymond's *Essays*, p. 7. ‡ *Addresses*, p. 103.

§ *Review of Questions on Morals*, p. 37.

depart from it without being self-condemned. And the dictates of this moral faculty, which are by nature a rule to us, are moreover the laws of God, laws in a sense including sanctions.”*

But, as great as has been the diversity of opinion and definition in regard to the *theoretical* part of morals, there has been a coincidence of sentiment on the *practical* part of the subject, as remarkable as it is gratifying. In truth, it may well be doubted, whether, beyond the pale of the exact sciences, there has been on any subject an equal concurrence of sentiment among mankind. “There is no tribe,” says the late Sir James Mackintosh, “so rude as to be without a faint perception of a difference between right and wrong; there is no subject on which men of all ages and nations coincide in so many points as in the general rules of conduct, and in the qualities of the human character which deserve esteem. Even the grossest deviations from the general consent,” continues he, “will appear on close examination to be, not so much corruptions of moral feelings, as either ignorance of facts, or errors with respect to the consequences of action, or cases in which the dissentient party is inconsistent with other parts of his own principles, which destroys the value of his dissent; or where each dissident is condemned by all the other dissidents, which immeasurably augments the majority against him.” Again he says, “If we bear in mind, that the question relates to the coincidence of all men in considering the same qualities as virtues, and not to the preference of one class of virtues by some, and of a different class by others, the exceptions from the agreement of mankind in their system of practical morality will be reduced to absolute insignificance; and we shall learn to view them as no more affecting the harmony of our moral faculties, than the resemblance of the limbs and features is affected by monstrous conformations, or by the unfortunate effects of accident or disease, in a very few individuals.”† The same distinguished writer says of Grotius, who had cited poets, orators, historians, and philosophers, that “he quotes them as witnesses whose conspiring testimony, mightily strengthened and confirmed by *their discordance on almost*

* Butler's Works, p. 134. London, 1828.

† Progress of Ethical Philosophy, pp. 9, 10.

every other subject, is a conclusive proof of the unanimity of the whole human race on the great rules of duty and the fundamental principles of morals." *

"The object of Grotius," says Chancellor Kent, "was to correct the false theories and pernicious maxims of his time, by showing a community of sentiment among the wise and learned of all nations and ages, in favor of the natural law of morality." Again he says, "Grotius went purposely into the details of history and the usages of nations, and resorted to the testimony of philosophers, historians, orators, poets, civilians, and divines, because they were the materials out of which the science of morality was formed; and when many men, at different times and places, unanimously affirmed the same thing for truth, it ought to be ascribed to some universal cause." † "Mr. Hume," says Sir James Mackintosh again, "at the same time that he ingeniously magnifies the moral heresies of two nations so polished as the Athenians and the French, still says, 'In how many circumstances would an Athenian and a Frenchman of merit resemble each other? Humanity, fidelity, truth, justice, courage, temperance, constancy, dignity of mind.' Of this conclusion it has been well said, that Mr. Hume has very satisfactorily resolved his own difficulties; and that almost every deviation which he imputes to each nation, is at variance with some of the virtues justly esteemed by both; and that the reciprocal condemnation of each other's errors, which appears in his statement, entitles us, on these points, to strike out the suffrages of both, when collecting the general judgment of mankind." ‡

"The sentiments upon which men differ so greatly," says Voltaire, "are not necessary to men; it is even impossible that they should be necessary, for this reason alone, that the truth respecting them is hidden from us. It was indispensable, that all fathers and mothers should love their children; therefore they do love them. It was necessary that there should be some general principles of morals, in order that society might subsist; therefore *these principles are the same among all civil-*

* Discourse on the Law of Nations, p. 24. London, 1828.

† Commentaries on American Law, Vol. I. pp. 16, 17.

‡ Mackintosh's Progress of Ethical Philosophy, p. 10.

ized nations. Whatever is an eternal subject of dispute is always useless.* “We have implanted in us by Providence,” says Mr. Burke, “ideas, axioms, rules, of what is pious, just, fair, honest, which no political craft, nor learned sophistry, can entirely expel from our breasts.” †

Lord Kames, after an imposing array of exceptions, says; “These facts tend not to disprove the reality of a common sense in morals; they only prove, that the moral sense has not been equally perfect at all times, nor in all countries. A nation, like an individual, ripens gradually, and acquires a refined taste in morals as well as in the fine arts; after which we find great uniformity of opinion about the rules of right and wrong; with few exceptions, but what may proceed from imbecility or corrupted education. There may be found, it is true, even in the most enlightened ages, men who have singular notions in morality, and in many other subjects; which no more affords an argument against a common sense or standard of right and wrong, than a monster doth against the standard that regulates our external form, or than an exception doth against the truth of a general proposition.” Again he says, “That there is in mankind a uniformity of opinion with respect to right and wrong, is a matter of fact, of which the only infallible evidence is observation and experience, and to that evidence I appeal. This uniformity of sentiment, which may be termed *the common sense of mankind with respect to right and wrong*, is essential to social beings. Did the moral sentiments of men differ as much as their faces, they would be unfit for society; discord and controversy would be endless, and the law of the strongest would be the only rule of right and wrong.” ‡

All men, then, agree, that there are acts which ought to be done, and acts which ought not to be done; the far greater part of mankind agree in their list of virtues and duties, of vices and crimes; and the whole human race, as it advances in other improvements, is as evidently tending towards the moral system of the most cultivated nations, as children, in their growth, tend to

* Lettre à Madame la Marquise du Deffand. † Works, Vol. I. p. 41.

‡ Sketches of Man, Vol. IV. pp. 19-21.

the opinions as much as to the experience of full-grown men.* William Penn, in the council and consultation “which he held with the Indians of his province in 1683; found that these savages believed in a state of future retribution, and that the vices enumerated by them, as those which would consign them to punishment, corresponded remarkably with similar enumerations in the Christian Scriptures. They said that lying, theft, swearing, murder, and the like, would expose them to punishment in a future life; and the New Testament affirms, that those who are guilty of adultery, fornication, lying, theft, murder, &c., shall not inherit the kingdom of God.” † We may conclude, therefore, with Dr. Hartley, that “the rule of life drawn from the practice and opinions of mankind, corrects and improves itself perpetually, till at last it determines entirely for virtue, and excludes all kinds and degrees of vice.” ‡

But this position admits of still further authoritative confirmation. “History,” says Sir James Mackintosh, “is now a vast museum, in which specimens of every variety of human nature may be studied. From those great accessions to knowledge, lawgivers and statesmen, but above all, moralists and political philosophers, may reap the most important instruction. They may plainly discover, in all the useful and beautiful variety of governments and institutions, and under all the fantastic multitude of usages and rites which have prevailed among men, *the same fundamental, comprehensive truths, the same master principles which are the guardians of human society, recognised and revered (with few and slight exceptions) by every nation upon earth, and uniformly taught (with still fewer exceptions) by a succession of wise men from the first dawn of speculation to the present moment. The exceptions, few as they are, will, on more reflection, be found rather apparent than real. If we could raise ourselves to that height from which we ought to survey so vast a subject, these exceptions would altogether vanish; the brutality of a handful of savages would disappear in the immense prospect of human nature, and the murmurs of*

* Mackintosh's Progress of Ethical Philosophy, p. 11.

† See Dymond's Essays on Morality, pp. 72, 73.

‡ Quoted by Sir James Mackintosh in his Progress, &c., p. 11.

a few licentious sophists would not ascend to break the general harmony. This consent of mankind in first principles, and this endless variety in their application, which is one among many valuable truths which we may collect from our present extensive acquaintance with the history of man, is itself of vast importance.”*

Dr. Paley has, it is true, presented an imposing array of vices and crimes practised in some age or country, and countenanced by public opinion; but, in doing this, he has most manifestly mistaken the exceptions for the rules which govern human sentiments and conduct. This might be made very clear by a careful analysis of the subject; but it may be still more satisfactory to permit Dr. Paley to destroy his own position, by citing his authority against himself. “The direct object of Christianity,” says this valuable writer, “is to supply motives and not rules, sanctions and not precepts. And these,” continues he, “were what mankind stood most in need of. The members of civilized society can, in all ordinary cases, *judge tolerably well how they ought to act*; but, without a future state, or, which is the same thing, without credited evidence of that state, they want a *motive* to their duty; they want at least strength of motive sufficient to bear up against the force of passion, and the temptation of present advantage.” † This observation rests entirely on the admission, that men substantially concur in their views of practical morals. Again, he says, still more decisively, “that moralists, from whatever different principles they set out, commonly meet in their conclusions; that is, they enjoin the same conduct, prescribe the same rules of duty, and, with a few exceptions, deliver upon dubious cases the same determinations.” ‡ Here we have the clear and decisive authority of Dr. Paley himself, in favor of the substantial agreement of mankind in the department of practical morals. This general concurrence of sentiment lays a firm and safe foundation on which to build a superstructure.

The practical department of moral philosophy contemplates

* Discourse on the Law of Nations, pp. 35, 36.

† Evidences of Christianity, p. 224. London, 1825.

‡ Moral and Political Philosophy, pp. 34, 35.

two objects ; the formation and cultivation of a permanent, strong, and delicate sense of duty ; and a knowledge of the chief principles and rules, which determine our duty in the various situations and relations of life.

It may be said with the most perfect truth, that there is no quality of the human character so fundamental as the possession of a high and permanent sense of duty. It is composed of the choicest elements of character, the passions under the control of the reason, the will directed by the understanding, a conscience alive to the most delicate moral impressions, and suitable motives steadily and effectually influencing the conduct. It is something more than an upright intention ; this is often seen in persons whose sense of duty is comparatively slight ; it includes an active, vigilant, persevering desire of practical usefulness.

The sense of duty gives a tone to the entire character and conduct of the man. It leads him to act from fixed and well considered principles of action, and not from passion, prejudice, and the impulse of the occasion and of the moment. The supreme object in the mind of every good man is, the upright discharge of the full measure of his duty ; and in this discharge consist the highest honor and happiness, which human nature is capable of attaining. Cicero well says, " No part of life, public or private, in the business of the forum or in domestic affairs, in regard to ourselves or as we stand in relation to other men, is without the obligation of duty, and in the discharge of these obligations consists all the honor of life ; as, on the other hand, all baseness and dishonor spring from the neglect of them."* Every man, then, has his own sphere of duty, his peculiar field of usefulness, the cultivation or neglect of which will inevitably lead to honor or dishonor, approbation or reproach, general credit or public shame, to the torments of remorse on the one hand, or on the other to the peace of mind which passeth all understanding.†

A sense of duty, therefore, includes all the qualities of mind and heart which are accustomed to be esteemed most valuable,

* De Officiis, Lib. I. c. 2.

† See Mackintosh on the Study and Practice of the Law, pp. 20 - 26.

and which, in their practice, have ever been found most difficult. Its exercise requires physical courage of the highest order, as it sometimes brings us into collision with the passions and interests of the powerful. It requires moral courage of an equally high order, as it may compel us to meet and to brave the frowns, the rebukes, and the scorn of public opinion. It implies a sacrifice of ease, as it calls for patient labor and unremitting activity. Apparent self-interest must frequently be sacrificed to its dictates ; for the cases are not few, in which duty seems to call one way and interest another. Magnanimity is necessary to its full exercise, since this many times requires us to pass by the neglect, the provocations, and the overbearing conduct of other men. It requires us to fulfil the law of Christian love, by regarding and treating every man as our neighbour, whose comfort and interest it is in our power to consult, and whose welfare, moral or spiritual, it is in our power to advance. All these qualities, and many more, so trying to human nature, and requiring in their exercise the best qualities of the heart and of the understanding, are combined in the sense of duty, when most perfectly cultivated and matured.

The sense of duty being thus complex, — consisting of the choicest elements of feeling, sentiment, and action, is difficult to be analyzed completely, — we must, therefore, be contented with such an imperfect analysis, as, with the aid of the preceding observations, we can make. It embraces, — 1. A moral sense, that is, a sense of moral obligation and responsibility. 2. The having a reasonable, definite, and valuable object of pursuit in life, and the being governed in our conduct by moral and religious rules. No one can have any sense of duty who is conscious of living for no purpose, and of being governed by no moral rule.* 3. In a Christian country, and in a cultivated state of society, it further consists in a supreme regard to the authority of God, and a regard for all other men viewed as brethren of the same great family. 4. A conscientious regulation of our lives and conversations with reference to the rewards and punishments of the life to come as well as of the present life. 5. Industry, activity,

* Paley's Moral and Political Philosophy, p. 30. — Persius, Sat. III. 60 – 62.

patience, and perseverance, in the sphere of duty and usefulness, however humble, which, in the order of Providence, has been assigned us.

No man supremely devoted to habits of self-indulgence, self-gratification, personal ease, and sloth, can be much under the influence of a sense of duty. It is this sense of duty, which is the mainspring of all that is noble and praiseworthy in human character and conduct; and it is this especially, which it is the object of moral philosophy to strengthen and otherwise cultivate. It is this sense of duty, which has led men of the best hopes and talents in every age and nation, without expectation of reward, to devote themselves to the service of their country and the good of mankind. It was this sense of duty, which led Washington and his illustrious compatriots to undertake the arduous and unpromising enterprise of the American revolution, and to sustain the labors, hardships, discouragements, and the thousand other trials, by which they wrought out the political salvation of their country. It was this which led the philanthropic Howard “to visit all Europe, — not to survey the sumptuousness of palaces, or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur, not to form a scale of the curiosity of modern arts, nor to collect medals or collate manuscripts; — but to dive into the depths of dungeons; to plunge into the infection of hospitals, to survey the mansions of sorrow and pain; to take the gauge and dimensions of misery, depression, and contempt; to remember the forgotten, to attend to the neglected, to visit the forsaken, and compare and collate the distresses of all men in all countries.”* It was this, which led the apostles of our Saviour, and other early preachers of his gospel and original witnesses of his miracles, voluntarily to subject themselves to unexampled labors, dangers, and sufferings, in attestation of the accounts which they delivered, and solely in consequence of their belief of these accounts, and, from the same motives, to submit to new and unusual rules of life and conduct.† It is the same sense of duty, which has led the preachers of Christianity, in every age, to devote themselves to the intellectual,

* Mr. Burke's Eulogium.

† See Paley's Evidences of Christianity.

moral, and spiritual interests of mankind, with a zeal, a disinterestedness, and a perseverance, unknown to any other class of men. And it is this, moreover, which is, at this time, leading many Christian missionaries to forsake friends, parents, country, and all earthly prospects, for the sake of planting the standard of the Cross in the remotest corners of the earth.

It has before been said, that the sense of duty implies a moral sense, — an authoritative standard of human conduct. Now, the decisions of the conscience of each individual are, with respect to him, the authoritative rules of his conduct, and the supreme and ultimate guide of his life. The conscience is that principle of the mind, whose prerogative it is to prescribe, in morals, to every other, and to pronounce the definitive sentence from which there is no appeal. The fundamental importance of this position, and especially the present state of public sentiment, of literature, and of intellectual philosophy, and the prevailing habits of thinking and reasoning, render some illustration of it useful and necessary.

To an unsophisticated mind, it may appear surprising, that it should be necessary to delay, for the sake of establishing the *existence of conscience* in the human breast, or of vindicating its claim to be the great and ultimate guide of the moral sentiments and actions of mankind. And, if some traces of the same error and perversion are found in the writings of the ancient moralists, — still it may be said, with the utmost truth, to have been reserved for very late times, to build up and sanction a system of sophistry in metaphysics and morals, which, by denying the existence, has obscured the decisions of conscience, and has thus been enabled to substitute a false measure of human duty, and a standard of right and wrong in human conduct, which must fluctuate with the ever-varying prejudices, passions, opinions, and interests of mankind. A succession of eminent writers, led on by the celebrated David Hume, have, within the last century, given plausibility and currency to the theory, that the utility of actions is the only criterion of their rectitude, and the supreme standard of their obligation. This theory of morals, as unsound and superficial as it is, which makes virtue a subject of calculation, and, withdrawing the attention from all internal sentiments,

as well as destroying their authority, loses sight of the essential distinction between right and wrong, and confounds the boundaries of vice and virtue, having been incautiously admitted by Dr. Paley as the basis of his moral system, has acquired a degree of public confidence and favor, which, under the auspices of a less respectable and estimable name, it could never have attained.

By this theory, the jurisdiction of conscience is abolished, her decisions are classed with those of a superannuated judge, and the determination of moral causes is adjourned from the interior tribunal of the breast to the noisy forum of speculative debate. Nothing is yielded to the suggestions of conscience, nothing to the movements of the heart; every thing is dealt out with a sparing hand, under the stint and measure of calculation. In making expediency the ground of all moral obligation, Dr. Paley could not have anticipated to what lengths his doctrine would be carried, or to what purposes, in other hands, it would be applied under the sanction of his name, or how completely it might be made to subvert morality and religion, by substituting the looseness of speculation and opinion for the stability of fixed principle. The utility of an action, may, as will hereafter be seen, be very suitably made *a subordinate criterion of its rectitude*, but can never be made the ultimate and supreme standard of all right and wrong, without degrading virtue to the rank of an ordinary problem in arithmetic. Let us return, then, to the safe and sober paths of our ancestors, adhering, in all moral questions, to the dictates of conscience, regulated and otherwise enlightened; happy to enjoy, instead of the sparks of our own kindling, the benefit of that light, which, placed in the moral firmament by an Almighty hand, has led, in the way of safety, all who have been willing to trust to its guidance.

Nor, in submitting to be guided by the doctrine of *expediency* on moral subjects, have we deviated less from the example of heathen antiquity than from the way of our sober and pious Christian ancestors. "The philosophers of (heathen) antiquity," says a most valuable writer, "in the absence of superior light, consulted with reverence the permanent principles of nature, the dictates of conscience, and the best feelings of the heart, which

they employed all the powers of reason and eloquence to unfold, to adorn, to enforce ; and thereby formed a luminous commentary *on the law written on the heart*. The virtue which they inculcated grew out of the stock of human nature ; it was a warm and living virtue. It was the moral man, possessing, in every limb and feature, in all its figure and movements, the harmony, dignity, and variety, which belong to the human form ; an effort of unassisted nature to restore that image of God, which sin had mutilated and defaced. Imperfect, as might be expected, their morality was often erroneous ; but in its great outlines, it had all the stability of the human constitution, and its fundamental principles were coeval and coexistent with human nature. There could be nothing fluctuating and arbitrary in its more weighty decisions, since it appealed every moment to *the man within the breast* ; it pretended to nothing more than to give voice and articulation to the inward sentiments of the heart, and conscience echoed to its oracles. This, wrought into different systems and under various modes of illustration, was the general form which morality exhibited from the creation of the world till our time.”*

Aristotle has discriminated, classified, and arranged the elements of social morals, which alone he could treat, in the absence of revelation, with the acuteness, precision, and skill, with which he was so eminently endowed ; and whoever peruses his “*Nicomachian Morals*,” will find a perpetual reference to the inward sentiments of the breast. He builds every thing on human nature, and always takes it for granted, *that there is a moral faculty in the mind, to which, without looking elsewhere, we may safely appeal*. He has been styled the interpreter of nature, and has certainly shown himself a most able commentator on the law written in the heart. In like manner, Cicero drew his moral sentiments from the undefiled fountain of an unsophisticated conscience, and vindicated the claims of this faculty with equal decision and clearness.

In this state, revelation found the moral system of the ancients, and by correcting what was erroneous, supplying what was defective, and above all, confirming what was right by its

* Robert Hall's Works, Vol. I. p. 97.

peculiar sanctions of a future life of rewards and punishments, it conferred on it that perfection, of which it is itself the consummation. We have, then, with some comparatively late exceptions, the concurring authority of ancient and modern times, for making conscience the umpire in all moral inquiries. But to give more definiteness as well as expansion to our views on this fundamental point, it may still be useful to review very briefly the chief considerations and arguments, on which the doctrine of a conscience in the human breast may be made to rest.*

1. We may do much towards convincing ourselves of the existence and office of conscience, by consulting our own personal experience. Our recollections must inform us, with what effect, when children, an appeal was made to the admonitions of our own breasts, if at any time we had been guilty of injustice, falsehood, cruelty, or any other species of wrong-doing. Remorse is a peculiar and well-defined feeling, the most painful of all human sufferings. Its stings do not seem to spring from reason, from judgment, from memory, from imagination; — they seem, on the contrary, to spring from a distinct faculty of the mind, — a conscience. When we find that the great principles of rectitude have been violated by human tribunals, we familiarly speak of the difference between the decisions of the *forum humanum*, and the *forum conscientiaë*; and, in doing this, we refer to the unperverted decisions of the conscience, called, in the Roman Law,† by a most noble and significant metaphor, the *interior forum*.

2. We shall see still further proof of the existence of conscience, by the observations we must have made on the feelings, sentiments, and actions of those with whom we have been accustomed to hold intercourse. We have the same evidence of the existence of conscience in those with whom we converse, and otherwise maintain intercourse, which we have of memory, imagination, or any other faculty of the mind. In addressing all other men, we assume that they are governed by a moral sense, or conscience, to which we may successfully appeal. “It is

* See Robert Hall's Works, Vol. I. pp. 89, 97, 99, 101.

† North American Review, Vol. XXII. p. 260. — Story's Commentaries on Equity, Vol. I. chap. 1, passim.

manifest," says Bishop Butler, "great part of common language and of common behaviour over the world, is founded upon the supposition of a moral faculty, whether called conscience, moral reason, moral sense, or divine reason; whether considered as a sentiment of the understanding or as a perception of the heart, or, which seems the truth, as including both." Again, he says of conscience, "To preside and govern, from the very economy and constitution of man, belongs to it. This faculty was placed within to be our proper governor, to direct and regulate all undue principles, passions, and motives of action. It carries its own authority with it, that it is our natural guide, the guide assigned us by the Author of our nature."*

3. The substantial uniformity and consistency, which, as has been stated and illustrated above,† mankind have manifested in all ages in regard to practical morals, are most naturally and fully accounted for by ascribing them to a peculiar faculty, a conscience. From uniformity in the effect, we infer sameness in the cause. In government, literature, science, philosophy, taste, the fine arts, *theoretical morals*, finally, on all subjects, except the exact sciences and *practical morals*, men differ widely from each other (*Quot homines, tot sententiæ*, says Terence,) in opinion and in sentiment.

4. We may find evidence of the existence of a conscience in the human breast, in the structure of languages, and in the literature of various ages and nations. The language of a nation is the most permanent and authentic record which can exist, of the feelings, thoughts, sentiments, opinions, and convictions of the men who have formed, cultivated, and used it. And all languages contain words, constructions, and forms of expression, which spring from assuming the existence and functions of a conscience. Literature, also, most intimately connected as it is with language, offers its evidence to the same effect.

5. It may be well to collect and embody some small part of the testimony to the same effect, furnished by the most respectable and valuable writers. This testimony is of every kind, premeditated and casual, designed and incidental. It is given

* Quoted by Dymond, *Essays*, p. 61.

† See above, pp. 6-9.

by divines, moralists, poets, orators, civilians, historians, philosophers, and men of business. So much notice has before been taken of the general tone and character of the ancient moralists, that I may pass them by with a few citations. Plutarch says, "The light of truth is a law, not written in tables or books, but dwelling in the mind, always a living rule, which never permits the soul to be destitute of an interior guide." Hiero says, that the universal light, shining in the conscience, is "a domestic God, a God within the hearts and souls of men." Epictetus says, "God has assigned to each man a director, his own good genius; a guardian whose vigilance no slumbers interrupt, and whom no false reasonings can deceive. So that, when you have shut your door, say not that you are alone, for your God is within. What need have you of outward light to discover what is done, or to light to good actions, who have God, or that genius or divine principle, for your light?"

My quotations from modern writers will be much more numerous. Dr. Hutcheson says, "The Author of nature has much better furnished us for a virtuous conduct than our moralists seem to imagine, by almost as quick and powerful instructions as we have for the preservation of our bodies." Dr. Blair says, "Conscience is felt to act as the delegate of an invisible ruler. Conscience is the guide, or the enlightening or directing principle of our conduct." Again he says, "God has invested conscience with authority to promulgate his laws." Dr. Rush says, "It would seem as if the Supreme Being had preserved the moral faculty in man from the ruins of his fall, on purpose to guide him back again to Paradise; and, at the same time, had constituted the conscience, both in man and fallen spirits, a kind of royalty in his moral empire, on purpose to show his property in all intelligent creatures, and their original resemblance to himself." Again he says, "Happily for the human race, the intimations of Deity and the road to happiness are not left to the slow operations or doubtful inductions of reason. It is worthy of notice, that, while second thoughts are best in matters of judgment, first thoughts are always to be preferred in matters that relate to morality." Lord Bacon says, "The light of nature not only shines upon the human mind through the medium of a

rational faculty, but by an internal instinct according to the law of conscience, which is a sparkle of the purity of man's first estate." Lord Shaftesbury says, "The sense of right and wrong being as natural to us as natural affection itself, and being a first principle in our constitution and make, there is no speculation, opinion, persuasion, or belief, which is capable immediately or directly to exclude or destroy it." Dr. Reid says, "The first principles of morals are the immediate dictates of the moral faculty. By the moral faculty or conscience solely, we have the original conception of right and wrong. It is evident, that this principle has, from its nature, authority to direct and determine with regard to our conduct ; to judge, to acquit or condemn, and even to punish ; an authority which belongs to no other principle of the human mind. The Supreme Being has given us this light within to direct our moral conduct. It is the candle of the Lord set up within us, to guide our steps." Dr. Price says, "Whatever our consciences dictate to us, that He (the Deity) commands more evidently and undeniably, than if by a voice from Heaven we had been called upon to do it." Dr. Watts says, the mind "contains in it the plain and general principles of morality, not explicitly as propositions, but only as native principles, by which it judges, and cannot but judge, virtue to be fit and vice unfit." Dr. Cudworth says, "The anticipations of morality do not spring merely from notional ideas, or from certain rules or propositions, arbitrarily printed upon the soul as upon a book, but from some other more inward and vital principle in intellectual beings as such, whereby they have a natural determination in them to do some things and to avoid others." Dr. Shepherd says, "This law is that innate sense of right and wrong, of virtue and vice, which every man carries in his own bosom. These impressions, operating on the mind of man, bespeak a law written on his heart. This secret sense of right and wrong, for wise purposes so deeply implanted by our Creator in the human mind, has the nature, force, and effect of a law." Dr. Southey speaks of "actions being tried by the eternal standard of right and wrong, on which the unsophisticated heart unerringly pronounces." Dr. Adam Smith says, "It is altogether absurd and unintelligible, to suppose that the first per-

ceptions of right and wrong can be derived from reason. These first perceptions cannot be the object of reason, but of immediate sense and feeling. Though man has been rendered the immediate judge of mankind, an appeal lies from his sentence to a much higher tribunal, to the tribunal of their own consciences, to that of the man within the breast, the great judge and arbiter of their conduct." "Conscience, conscience," exclaims Rousseau, "divine instinct, immortal and heavenly voice, sure guide of a being ignorant and limited, but intelligent and free, infallible judge of good and evil, by which man is made like unto God." Again he says, "Our own conscience is the most enlightened philosopher. There is no need to be acquainted with Tully's Offices to make a man of probity; and perhaps the most virtuous woman in the world is the least acquainted with the definition of virtue." Milton says, in regard to our first parents,

"And I will place within them, as a guide,
My umpire Conscience; whom if they will hear,
Light after light well used they shall attain."*

Sir Matthew Hale says, "Any man that sincerely and truly fears Almighty God, and calls and relies on him for his direction, has it as really as a son has the counsel and direction of his father; and, though the voice be not audible or discernible by sense, yet it is equally as real as if a man heard a voice saying, This is the way, walk ye in it." "There is a principle of reflection in men," says Bishop Butler, "by which they distinguish between, approve and disapprove, their own actions. We are plainly constituted such sort of creatures as to reflect upon our own nature. The mind can take a view of what passes within itself, its propensions, aversions, passions, affections, as respecting such objects and in such degrees; and of the several actions consequent thereupon. In this survey, it approves of one and disapproves of another, and towards a third is affected in neither of these ways, but is quite indifferent. This principle in man, by which he approves or disapproves his heart, temper, and actions, is conscience; for this is the strict sense of the word, though sometimes it is used so as to take in more. And that this faculty

* Paradise Lost, III. 194.

tends to restrain men from doing mischief to each other, and leads them to do good, is too manifest to need being insisted upon.”*

Finally, Dr. Paley, where not pledged to a particular system, writes thus ; “Conscience, our own conscience, is to be our guide in all things. It is through the whisperings of conscience, that the Spirit speaks. If men are wilfully deaf to their consciences, they cannot hear the Spirit. If hearing, if being compelled to hear, the remonstrances of conscience, they nevertheless decide, and resolve, and determine to go against them, then they grieve, then they defy, then they do despite to the Spirit of God. Is this superstition ? Is it not, on the contrary, a just and reasonable piety, to implore of God the guidance of his Holy Spirit when we have any thing of great importance to decide upon or undertake. It being confessed that we cannot ordinarily distinguish, at the time, the suggestions of the Spirit from the operations of our minds, it may be asked, How are we to listen to them ? The answer is, by attending universally to the admonitions within us.”† The number of testimonies which I have introduced is considerable, because, being in a great measure a case of personal experience, it is well to subjoin authority to argument. The testimonies are of the most respectable kind, and their number might have been easily enlarged. They are derived from many ages and from several countries. There is considerable variety of phraseology among the authors quoted, as might be expected, but they all concur in recognising a moral faculty in the mind, in affirming that this faculty possesses wisdom to direct us aright, that its directions are given instantaneously as the individual needs them, and that it is invested with unquestionable authority to command.‡

6. The existence and office of conscience seems manifestly to be recognised by Scripture. “When the Gentiles,” says

* Quoted by Upham, *Mental Philosophy*, p. 525.

† Quoted by Dymond, *Essays*, p. 65. See Paley’s third Sermon on the “Influence of the Holy Spirit.” There are various other passages in his Sermons, in which he refers to *conscience* as the umpire in morals. In his *Moral Philosophy*, in which he has discarded a moral sense or conscience, he was led astray by the theory to which he had pledged himself.

‡ In making the above collection of authorities, the author has, to a considerable extent, availed himself of the labors of Dymond. *Essays*, pp. 60–66.

St. Paul, “which have not the law, do by nature the things contained in the law, these, having not the law, are a law unto themselves; which show the work of the law written in their hearts, their conscience (*συνείδησις*) also bearing witness, and their thoughts the meanwhile accusing or else excusing one another.”* The latter part of this passage is translated by Dr. Macknight thus; “Their conscience bearing witness thereto, as also their debates with one another; in which they either accuse one another of evil actions, or else defend each other when so accused.” And he comments on the passage thus; “The reality of a *natural revelation*” (by which he means the testimony of conscience) “made to the heathen, the Apostle has proved by three arguments. 1. By the pious and virtuous actions which many of the heathens performed. 2. By the natural operation of their conscience. 3. By their reasonings with one another, in which they either accused or excused one another. For, in their accusations and defences, they must have appealed to some law or rule. Thus, in the compass of two verses, the Apostle has explained what the light of nature is, and demonstrated that there is such a light existing. It is a revelation from God, written on the heart or mind of man; consequently is a revelation common to all nations.”†

Again, St. Paul was accustomed “to live in all good conscience before God”; he “exercised himself to have always a conscience void of offence toward God, and toward man.” He speaks of “his conscience bearing him witness in the Holy Ghost,” that is, under the guidance of the Holy Ghost; his rejoicing consisted in the testimony of his conscience, that in simplicity and godly sincerity, he had had his conversation in the world. By manifestation of the truth, he commended himself to every man’s conscience in the sight of God; he makes the end of the commandment to consist in charity out of a pure heart, and of a good conscience, and of faith unfeigned; he exhorted his Roman converts to be subject to civil government, not only for wrath, but also for conscience’ sake; he enjoins upon ministers of the gospel, to hold the mystery of the faith

* Romans, ii. 14, 15.

† Note on Romans, ii. 15.

in a pure conscience ; he was made manifest to God, and also to the consciences of his Corinthian converts. St. Peter makes the saving effects of baptism to depend, not on the putting away of the filth of the flesh, but on the answer of a good conscience toward God.

Besides, the sacred writers constantly speak of persons convicted by their own conscience ;—holding faith and a good conscience ;—having their mind and conscience defiled ;—having their hearts sprinkled from an evil conscience ;—and a conscience seared with a hot iron, through long familiarity with sin.* What meaning have terms and phrases like these, if we may, at our will, strip conscience of its sanction, and regard it no longer as a heaven-born rule of action ? The Scripture always speaks of conscience, not as a term of convention, a mere creation of the social system, but as an umpire planted in our breasts by the hand of our Maker, to preside there and pass judgment on our actions. A conscience combined to a certain degree, with power of choice and liberty of action, not only distinguishes us from the lower beings of creation, but constitutes the very essence of our responsibility, both to God and man.†

The connexion renders appropriate three remarks, which also naturally spring from the preceding discussion. 1. The conscience, like other faculties of the mind, is capable of great improvement by cultivation, and of great debasement by neglect, and especially by habits of ignorance and vice. We find the consciences of some men delicate, susceptible, and alive to the slightest wrong. If they have been guilty of offences, or even of serious indiscretions, they are overwhelmed with shame and self-reproach. A sense of duty with them takes precedence of all other considerations, and is the governing principle of their conduct. A consciousness of duty disregarded is to them the greatest of evils, and a conscience satisfied with the full and honest discharge of duty, the greatest of blessings. In others, “the still small voice” of conscience, the fruit of whose

* See Acts xiii. 1 ; xxiv. 16 ; Rom. ix. 1 ; 2 Cor. i. 12 ; iv. 2 ; 1 Tim. i. 5 ; Rom. xiii. 5 ; 1 Tim. iii. 9 ; 2 Cor. v. 11 ; 1 Pet. iii. 21 ; Tit. i. 15 ; John viii. 9 ; Heb. x. 2, 22 ; xiii. 18 ; 1 Tim. i. 19 ; iv. 2.

† See Prof. Sedgwick, on the Studies of the University of Cambridge, p. 52.

promptings is seen in the lives of the pure and the virtuous, has long since ceased to be regarded; stifled as it is, amid the ragings and clamor of passion, and the practice of iniquity. Such are said, in the strong language of Scripture, to have their consciences seared with a hot iron.* They have become insensible to all moral considerations and influences. They have refused to listen to the sure guide given them by their Maker, to guide them amidst the temptations, the seductions, and the perplexities of life. Uninfluenced by moral principles, and regardless of the sacred obligations of duty, they become the sport of chance, of caprice, of humor, of impulse, of prejudice, of passion, and of circumstance. We have, then, no talent intrusted to our care, the due cultivation and improvement of which is so essential as this; no talent, the neglect of which will be so fatal to our usefulness and happiness.

2. We have seen the substantial uniformity and consistency of sentiment, which have prevailed among men, both in ancient and modern times, in regard to the practical department of morals. † And we can now understand, why this coincidence of sentiment has not been still more uniform and complete. Like all other faculties of the mind, conscience sometimes fails fully to perform its office. This is equally the case with memory and reason. The one does not bring every thing past to our remembrance; and the other sometimes leads us astray, both in the affairs of life, and in matters of abstract science. As in the case of reason, too, conscience is sometimes perverted. Under the influence of strong prejudice and passion, every object is discolored, the attention is completely absorbed, and all the powers of the mind are disturbed. Under such circumstances, neither the conscience, the memory, nor the imagination, nor any other faculty, can perform the office assigned it. But, when prejudice and passion have subsided, conscience is relieved from its burthen, the power of moral discernment returns, and the man reviews with dismay, remorse, and mortification, the violence and perversion of feeling, to which, in moments of excitement, he had permitted himself to give way.

* 1 Tim. iv. 2.

† See above, pp. 6-10.

Again, many actions are complex in their nature ; and this is another source of aberration in our moral judgments of men and actions. No one circumstance is of so much importance, in determining the moral character of an action, as the intention of the author. And how frequently is it, that we pronounce on the moral conduct of a man, when we entirely mistake his motives and intentions, or are at least very imperfectly acquainted with them. Moreover, our moral judgments of men and their conduct will be much affected by early associations, by differences of education, and especially by the light and position from which we view them. In all these cases, mistaken moral judgments must be ascribed to want of full and exact knowledge, and not to any defects of conscience. Conscience in moral transactions, as well as reason in other matters, must have fair opportunities for its exercise, or it cannot be expected to lead us in the right way.

3. We may now understand, how a man may follow the dictates of his conscience, and still fall into iniquity, and incur great guilt. We have seen, that the decisions of conscience may be perverted by prejudice and passion, and by the influence of early associations. We have seen, too, that actions are sometimes complex in their nature, that is, they may be in some respects worthy of approbation, and in others of reprehension, and this is another source of wrong moral decisions. Hence, to decide rightly, we must be free from prejudice and passion ; we must, as far as possible, divest ourselves of the bias of early associations, and we must patiently analyze the conduct and transactions upon which we presume to pass judgment.

Moreover our consciences must be enlightened by knowledge, and we must bring to their aid, full, calm, and honest inquiry. Except in cases where ignorance is invincible, we are required to have a conscience enlightened by knowledge and reflection. St. Paul considered himself highly guilty in persecuting the church of God,* although he verily thought at the time of doing this, that he ought to do many things con-

* 1 Cor. xv. 9 ; Eph. iii. 8 ; 1 Tim. i. 13.

trary to the name of Jesus of Nazareth ;* that is, he sincerely thought it his duty to oppose the gospel. The reason why he considered himself guilty, in opposing the gospel and persecuting the church, was, that he acted under the influence of unjust prejudices and violent passions, which prevented him from perceiving the evidence, and acknowledging the claim, of Christianity as a revelation from Heaven. Full evidence of the truth of the gospel had been furnished ; but he had closed his eyes to its light, and steeled his heart against all impressions in its favor. “ In the instance of St. Paul,” says Dr. Macknight, “ we see how much guilt a man, who is not at pains to inform himself, may, through ignorance, contract, without going contrary to his conscience. At this time Paul was doing things, which, after he became an apostle, made him call himself the chief of sinners ; he was touching the law blameless, and thought that, in persecuting the Christians, he was doing God service.” †

On the moral responsibility accompanying wilful ignorance, and the guilt contracted by refusing or neglecting to enlighten the conscience, Dr. Abercrombie says, “ Deep guilt may attach to the moral agent, who has been proof against the influence of moral causes. There is guilt in ignorance, when knowledge was within his reach ; there is guilt in heedless inattention, when truths and motives of the highest interest claimed his serious consideration ; there is guilt in that corruption of his moral feelings which impedes the action of moral causes, because this has originated, in a great measure, in a course of vicious desires and vicious conduct, by which the mind, familiarized with vice, has gradually lost sight of its malignity. During the whole of this course, also, the man felt that he was a free agent ; that he had power to pursue the course which he followed, and that he had power to refrain from it. When a particular desire was first present to his mind, he had the power immediately to act, with a view to its accomplishment, or he had the power to abstain from acting, and to direct his attention more fully to the various considerations and motives, which were calculated to guide his determination. In acting as he did, he not only with-

* Acts xxvi. 9.

† Comm. on 1 Tim. i. 13.

held his attention from those truths, which were thus calculated to operate upon him as a moral being; but he did still more direct violence to an impulse within, which warned him, that he was wandering from the path of rectitude. The state of moral feeling which gradually results from this habitual violation of the indications of conscience, and this habitual neglect of the serious consideration of moral causes, every individual must feel to be attended with moral guilt. The effect of it is, not only to prevent the operation of moral causes on his future volitions, but even to vitiate and distort the judgment itself, respecting the great principles of moral rectitude. Without attempting any explanation of this remarkable condition of the mental functions, its actual existence must be received as a fact in the constitution of human nature, which cannot be called in question; and it offers one of the most remarkable phenomena that can be presented to him, who turns his attention to the moral economy of man.* Another writer well says, “Apart from human judgments, there is an intrinsic moral difference in actions; and hence results the previous obligation of informing the mind, by a diligent attention to the dictates of reason and religion, and of delaying to act until we have sufficient light; but, in entire consistence with this, we affirm, that where there is no hesitation, the criterion of immediate duty is the suggestion of conscience, whatever guilt may have been previously incurred by the neglect of serious and impartial inquiry.”†

THE CONSCIENCE, THEREFORE, OF EVERY INDIVIDUAL IS TO HIM THE SUPREME AND ULTIMATE RULE OF DUTY; — BUT, TO INSURE SAFE DECISIONS, THE MIND MUST BE KEPT FREE FROM PREJUDICE AND PASSION, AND, ABOVE ALL, THE CONSCIENCE MUST BE GUIDED, REGULATED, AND ENLIGHTENED. In truth all the powers of the mind require cultivation for their due exercise. The reason is necessary to confine the imagination within sober limits; the memory furnishes the reason with the materials of which it is to make use; and both the reason and the conscience impose restraints on the appetites, the passions, and the will. All the other faculties have, in like manner,

* *Inquiries concerning the Intellectual Powers*, p. 169.

† *Rev. Robert Hall's Works*, Vol. I. p. 342. New York. 1832.

important relations with the conscience, by the exercise and aid of which, it may be so regulated and enlightened, and otherwise cultivated, as to be qualified to perform its high office of deciding on the moral feelings, sentiments, and conduct. I proceed to review the chief sources by the aid of which the conscience may be regulated and enlightened.

I. The Scriptures fully recognise civil government as binding on the conscience ;* and, therefore, the enactments of the government under which we live, or, in other terms, the law of the land, is one of the rules by which the consciences of individuals are to be regulated.

The law of a country is the combined reason, sentiment, and wisdom of the citizens of such country, so far as relates to the subjects embraced by the law, and therefore, aside from its binding character as law, is entitled to the respect of the citizens.† It is chiefly occupied in devising the means of protecting the persons, liberties, reputation, and estates of the citizens ; in settling the rules of evidence, and the forms of proceedings ; in prescribing rules and ordinances in the numerous cases, in which natural equity only ordains that there shall be a rule, but does not prescribe what the rule shall be ; in adjusting private rights in their endless and perplexing diversity, and in guarding against fraud in all its devious ways. The practical administration of the law consists, for the most part, in ascertaining the facts, which enter into controversies, and on which their rightful decision depends ; in inquiring into the extent of injury inflicted, and the corresponding amount of damages which ought to be rendered ; in settling the construction of statutes ; in applying the law to various facts and unforeseen contingences, which daily happen in the affairs of men ; and in looking beyond the present case, to see, on the one hand, how the decision of to-day agrees with preceding decisions, and, on the other hand, how it will

* Rom. xiii. 1-7 ; 1 Peter, ii. 13-16.

† Thuanus (De Thou) says, "The life, and soul, and judgment, and understanding of the country, centre in the laws. A state without law, like a body deprived of its animating principle, is defunct and lifeless in its blood and members. Magistrates and judges are but ministers and interpreters of the laws,—and in fine, we are all servants of the laws, that we may be free." — *Præfatio Thuani ad Henricum IV.*

affect the rights and happiness of the community in years to come.

Still, viewed as a guide, the law of the land is far from being designed by the legislature itself to be full and complete. It is imperfect in various respects ; the number of moral points, on which the most voluminous body of laws touches, being comparatively very few. Writers on jurisprudence consider only what the person, to whom the obligation is due, ought to think himself entitled to exact by force ; what every impartial spectator would approve of him for exacting, or what a judge or arbiter, to whom he had submitted his case, and who had undertaken to do him justice, ought to oblige the other person to suffer or to perform. Moralists, on the other hand, do not so much examine what it is that might properly be exacted by force, as what it is that the person who owes the obligation ought to think himself bound to perform, from the most sacred and scrupulous regard to the general rules of justice, and from the most conscientious dread, either of wronging his neighbour, or of violating the integrity of his own character. It is the end of jurisprudence to prescribe rules for the decisions of judges and arbiters. It is the end of morals to prescribe rules for the conduct of a good man. By observing all the rules of jurisprudence, supposing them ever so perfect, we should deserve nothing but to be free from external punishment. By observing moral rules, supposing them such as they ought to be, we should be entitled to considerable praise, by the exact and scrupulous correctness of our behaviour. It may frequently happen, that a good man will think himself bound, from a sacred and conscientious regard to the general rules of justice, to perform many things, which it would be the highest injustice to extort from him, or for any judge or arbiter to impose upon him by force. And the science of morality is to be considered as furnishing direction to persons who are conscious of their own thoughts, motives, and designs ; rather than as a guide to the judge, or to any third person, whose arbitration must proceed upon rules of evidence and maxims of credibility with which the moralist has no concern.*

* See Paley's Moral and Political Philosophy, p. 361. — Smith's Theory of Moral Sentiments, Vol. II. p. 119.

“The object of a free civil government,” says Chief Justice Parsons, “is the promotion and security of the happiness of the citizens. These effects cannot be produced, but by the knowledge and practice of our moral duties, which comprehend all the social and civil obligations of man to man, and of the citizen to the state. If the civil magistrate in any state, could procure, by his regulations, a uniform practice of these duties, the government of that state would be perfect. To obtain that perfection, it is not enough for the magistrate to define the rights of the several citizens, as they are related to life, liberty, property, and reputation, and to punish those by whom they may be invaded. Wise laws, made to this end, and faithfully executed, may leave the people strangers to many of the enjoyments of civil and social life, without which their happiness will be extremely imperfect. Human laws cannot oblige to the performance of the duties of imperfect obligation; as the duties of charity and hospitality, benevolence and good neighbourhood; as the duties resulting from the relation of husband and wife, parent and child; of man to man, as children of a common parent; and of real patriotism, by influencing every citizen to love his country, and to obey all its laws. These are moral duties, flowing from the disposition of the heart, and not subject to the control of human legislation.

“Neither can the laws prevent, by temporal punishment, secret offences committed without witness, to gratify malice, revenge, or any other passion, by assailing the most important and most estimable rights of others. For human tribunals cannot proceed against any crimes unless ascertained by evidence; and they are destitute of all power to prevent the commission of offences, unless by the feeble examples exhibited in the punishment of those who may be detected. Civil government, therefore, availing itself only of its own powers, is extremely defective; and, unless it could derive assistance from some superior power, whose laws extend to the temper and disposition of the human heart, and before whom no offence is secret, wretched indeed would be the state of man under a civil constitution of any form.”*

* Massachusetts Reports, Vol. VI. p. 404.

As a guide to the conscience, therefore, the law of the land is imperfect, inasmuch as, 1. It omits many moral duties which ought to be performed. 2. It gives permission to some things, of which no good man ought to avail himself. 3. It sometimes enjoins obedience, when it has no way of enforcing such obedience; and, also, it has sometimes commanded what is wrong, while it has prohibited what is right. Still, as the law of the land is, in general, binding on the conscience, the citizen is not justifiable in refusing compliance with its requisitions, unless the grievance which it inflicts is severely burdensome, and the wrong which it requires is palpable and unquestionable. In all doubtful cases, the doubt should be given in favor of the requirements of the law.

The law deserves our obedience, because it alone can reconcile the jarring interests of all, secure each against the rashness or malignity of others, and blend into one harmonious union the discordant materials of which society is composed. The law throws its broad shield over the rights and the interests of the humblest and the proudest, the poorest and the wealthiest, in the land. It fences around what every individual has already gained, and it insures to him the enjoyment of whatever his industry may acquire. It saves the merchant against ruinous hazards, provides security for the wages of the mechanic and the day-laborer, and enables the husbandman to reap his harvest without fear of plunder. The sanctity of the marriage tie, the purity of virgin modesty, the leisure of the student, the repose of the aged, the enterprise of the active, the support of indigence, and the decencies of divine worship, are all under its guardian care. It makes every man's house his castle, and keeps watch and ward over his life, his name, his family, and his property. It travels with him by land and by sea; watches while he sleeps; and arrays, in defence of him and his, the physical strength of the entire state. Surely, then, it is worthy of our reverence, our gratitude, and our affection. Surely, obedience to its mandates is among the highest of our duties.*

* See Address by William Gaston, before the College of New Jersey, 29th September, 1835.

II. The consequences which may result from actions, is another test by which their moral character may be judged. Every man is bound by his duty to use forecast, and to look, as far as possible, into the consequences of his conduct. This test is subordinate and imperfect, and acts upon the conscience chiefly through the reason ; still, in a large class of cases, it is highly effectual and valuable. If we habitually inquire, what would be the consequences to ourselves and to mankind, if every one were to act as we are acting, or as we propose to act, we shall not very often decide wrong in respect to our course of conduct. It is our duty at all times to act with prudence, discretion, and after full reflection ; and there may, unquestionably, be a degree of rashness, recklessness, and disregard of consequences in our conduct, by which the conscience may be scarcely less violated, than by a positive willingness, not to say inclination, to do wrong.

This test supposes, that the welfare of ourselves and others is the great design of our existence, and that virtue consists in doing good to mankind. It makes usefulness and expediency the measure and standard of rectitude. Some of the ancient moralists used this standard, by which to determine the moral nature of an action ; but they used it in a sense too unqualified, and perverted its just meaning and application. They taught, without just discrimination, that whatever was useful (*utile*) was right. Cicero combats this principle, which seems to have been very mischievously applied in his time, at great length and with great earnestness, and maintains, that an action, to be worthy of approbation, must unite the useful and the right.* He maintains, against the licentious writers of his time, that the usefulness of an action can never conflict with its rectitude, because no action can ever be truly useful which is not also right.† He makes the rectitude of an action the test of its usefulness, and not the usefulness the test of its rectitude. Reduced to practice, it is the question which continually presents itself to every man, when he is tempted by the allurements of pleasure,

* “*Utile atque honestum*” ; see his *Offices*, and particularly lib. iii. c. 3.

† “*Quidquid honestum est, idem utile ; nec utile quidquam, quod non honestum.*” — *De Officiis*, lib. iii. c. 4.

of profit, or of fame, to do an act which he knows to be unjustifiable and wrong; and Cicero says, his habitual decision, on the one side or on the other, determines him to belong to the class of good or bad, of honest or dishonest, of upright or wicked men.

In applying this standard to practice, we must not satisfy ourselves with looking at the *immediate* and *particular* consequences of our actions only; to give it any considerable practical value, we must also look to the *remote* and *distant* consequences of our conduct. To satisfy this test, an action must be useful in the long run, as well as near by; "in all its effects collateral and remote, as well as in those which are immediate and direct;" since, in computing consequences, it makes no difference in what way, or at what distance, they arrive.

It has before been observed, that Dr. Paley made the usefulness or expediency of an action the standard of its rectitude. He says, "It is the utility of any moral rule alone, which constitutes the obligation of it."* And, however mistaken he may have been, in making "expediency" the corner-stone of his system, still, the very circumstance of his doing this, led him to state, illustrate, and qualify it with peculiar care. I should do wrong, therefore, if I were not to avail myself freely of his illustrations.

The bad consequences of actions, he says, are twofold, particular and general. The particular bad consequence of an action is the mischief, which that single action directly and immediately occasions. The general bad consequence is the violation of some necessary or useful general rule. In many cases, the particular consequences are comparatively insignificant, while the general consequences are so injurious as to call for the greatest severity of punishment.

The particular consequence of counterfeiting the current coin of a country, is the loss of a dollar, or of a few dollars, to the person, or persons, who may receive it; the general consequence, that is, the consequence which would ensue if the same practice were generally permitted, would be to abolish the use

* Moral and Political Philosophy, p. 42.

of money. The particular consequence of forgery may be a damage of fifty, or a hundred dollars, to the man who accepts the forged bill; the general consequence would be the destruction of paper currency. The particular consequence of horse-stealing is a loss to the owner of the value of the horse stolen; the general consequence would be, that no man's horses would be safe. The particular consequence of breaking into a house without inhabitants may be the loss of some clothing, or of a few spoons; the general consequence would be, that no one could safely leave his house unoccupied. The particular consequence of smuggling may be a diminution of the national income, almost too minute for estimation; the general consequence would be, the destruction of one entire branch of the public revenue, a proportionate increase of the burthen upon other branches, and the ruin of all fair and open trade in the kind of merchandise smuggled. The particular consequence of an officer's breaking his parole may be the loss of a prisoner, who may, perhaps, not have been worth detaining; the general consequence would be, that this mitigation of captivity must be refused to all other prisoners. The particular consequence of assassination, or suicide, may be the death of an individual, whose life may be of little or no importance to himself, or to any one else; the general consequence would be, that, in the one case, every man would be under constant apprehensions for his life, and that, in both cases, no man's life, however valuable, would be safe. In all cases, the particular consequence is of so small importance, compared with the general consequence, that, in the enactment and administration of criminal laws, the particular consequence is entirely disregarded and left out of sight. The crime and the fate of the forger is the same, whether he has forged to the value of five or fifty dollars. The crime is regarded the same, as the general consequences are the same. *

It has before been said, that the rule of expediency, by which to estimate and guide our moral conduct, however valuable, is still imperfect. 1. It is imperfect, because sometimes men with

* Moral and Political Philosophy, Book II. chap. 8.

the best intentions, and after using the greatest care and diligence to inform themselves, moreover after the most mature reflection, are unable to foresee and calculate the consequences of their actions. Unforeseen contingencies sometimes occur in human affairs, which baffle human sagacity and foresight. However anxiously we look into consequences, they often elude our penetration. Hard, indeed, would be our condition, if, without regarding our intention and the accompanying circumstances, our actions were to be ultimately and finally estimated by their consequences.

2. Again, by directing our attention too exclusively to a moral estimate of our external actions, we are in danger of losing sight too much, of that restraint, which it is indispensable to impose on the thoughts and inclinations; in other terms, of neglecting the moral culture of the heart, out of which are the issues of life, and which is to be kept with all diligence.* The rule of expediency is a rule of calculation; valuable as it is, it refers chiefly to our external conduct, and ought never to be permitted to withdraw our attention from the suggestions of an enlightened and unsophisticated conscience. It may be useful in aiding the conscience, but must not be allowed to supersede its high functions.

I subjoin two practical applications of this principle, by way of illustration. 1. Every one is morally responsible for the consequences of his actions, so far as he foresaw them, or might have foreseen them by diligence and care.

2. We are prepared to understand and to explain several current maxims, which are in the mouths of many persons, but not always with a just understanding of their import. "We must not do evil that good may come," that is, we must not violate a general principle, for the sake of any particular and immediate good consequence, which may result from such violation. The converse of this maxim, couched in very different terms, is often cited thus, "The end sanctifies the means;" a dangerous maxim, and the more so, because men of worth and of the best intentions, having good objects to accomplish, have

* Prov. iv. 23; Mat. xv. 18-20.

sometimes acted upon it. They seem to have made this mistake by looking so intently at their good object, that they did not scrutinize the means, by which they proposed to attain it. In truth, there is always an inclination to view the means in the favorable light which the end reflects upon them. We know how apt persons are to consider the cause good which they wish to see advanced ; and, on the strength of this maxim, they are tempted to be unscrupulous in using any means which they deem likely to promote it. A good object should be accomplished by good means only. A bad cause may be consistently advanced by bad means. Moreover, we sometimes hear this maxim ; “ We must do our duty without shrinking, and leave the consequences to God.” But we have seen, that one test, by which we are to judge of our duty, is *the consequences which may probably result from our conduct*. If we foresee, that the consequences of a particular line of conduct will probably be evil, or that the evil will probably preponderate over the good, we ought to abstain from such line of conduct. This maxim is often used by the inexperienced, the rash, the passionate, the enthusiastic, and the fanatical, to justify their conduct.

III. The preceding sources by which conscience is enlightened and guided, to wit, the law of the land, and a regard to the consequences of our conduct, are *subordinate* ; and the supreme authority, which supplies their deficiencies, is the sacred Scriptures. These contain a system of moral truth, comprised in facts, customs, precepts, and principles, adapted to all ages, nations, climates, and circumstances of life.

This position is an important one, and, moreover, is not so obvious as not to require a careful illustration. The Scriptures, in reference to the periods of time which they embrace, are usually considered by divines under three dispensations ; the Patriarchal, the Mosaic, and the Christian. It will be convenient to review the various writings of which the Scriptures consist, under these same divisions ; by which we shall see, that this moral system was gradually unfolded, according as these dispensations succeeded each other in the order of time, and according to the degree of knowledge mankind possessed, the

kind of life they led, and various other circumstances which affected their condition.

1. The book of Genesis comprises nearly all the Patriarchal writings. It is more valuable for the *moral facts* (that is, facts having a moral bearing and influence,) and *institutions* which it makes known, than for the *principles* of a moral kind which it contains, though it is not destitute of the latter. It makes known the *creation* of the earth, the heavens, and all things else, from nothing, in opposition to the ancient philosophers, some of whom maintained that the universe had existed for ever, while others ascribed its origin to blind chance. It also makes known, that the universe was created by *one* God, in opposition to Polytheism ; and these two facts united, along with the duty of worshipping *one* God, lay a foundation for a belief in the moral doctrine of a Divine Providence.

The creation of man in the divine image, by which the dignity and excellence of his nature are recognised, and by this recognition, the duty of acting up to the dignity of his nature, — the origin of all the branches of the human family, however diversified by complexion, features, habits, and degrees of improvement, from a single pair, thus creating between them all, the ties and obligations of kindred, and the interest and sympathy in each other's welfare which spring from a common original, — the institution of the Sabbath, and of marriage between one man and one woman, — all have a silent, but most effectual moral bearing and influence.

These facts and institutions prepare the way for the high estimate set on human life by the Almighty, and for the command, under the most severe penalties, against taking it away.* The introduction, wide-spread increase, and overwhelming punishment of sin by a universal deluge, viewed in connexion with the accompanying circumstances, imply a coextensive standard of morals, not indeed reduced to writing, but that law of God written in the hearts of men, which has in all ages and among all nations, as we have seen,† caused substantially the same acts and habits to be recognised as virtues or vices, merits or crimes. During

* Gen. iv. 5-14 ; ix. 5, 6.

† See above, pp. 6-10.

the remainder of the Patriarchal times after the deluge, when the pastoral life chiefly prevailed, furnishing ease, leisure, and abundance, crimes against the person do not seem to have been numerous, and against property they were almost unknown.

2. It has been seen, that the morality of the Patriarchal dispensation consisted in facts and institutions having a moral bearing and influence, much more than in written precepts and positive principles. This was consistent with the circumstances of the times, and the simple state of society which then prevailed. But, as the institutions of Moses contemplated that the Hebrews should dwell in settled residences, and pursue chiefly the agricultural life, written rules of law and morals became desirable and necessary.

Accordingly, as soon as their deliverance from the Egyptians was fully accomplished, Moses, under divine guidance, began to organize their civil and religious polity, by the enactment of various laws and ordinances, suited to their condition and prospects. Among them the great moral laws, usually called "the Ten Commandments," are the most remarkable. They were ever after their promulgation the basis of the Jewish polity; and, while the other parts of the Mosaic ordinances have been superseded by "the bringing in of a better hope,"* they retain the freshness of their divine original, and, surviving the polity of which they were originally the corner-stone, they have been made the basis of the morals of the new and more perfect dispensation.†

The first commandment requires us to acknowledge but *one* God, the creator of the heavens and of the earth, and to make him the object of our supreme love, reverence, and homage. The second forbids idolatry, a most degrading sin, and, as history shows, the prolific parent of almost every other. The claim of the Almighty to be acknowledged as the God of the Hebrews was exclusive of the claim of every other being. The Hebrews were very much addicted to idolatry, and in fact were never effectually weaned from it, until they had tasted the bitterness of a seventy years' captivity in Babylon. The third commandment forbids profaneness, a sin which has not even the

* Heb. vii. 18, 19. See Schleusner in verb, ἐλπίς.

† Mat. xxii. 35-40; xix. 16-20; Luke, x. 25-28; James, ii. 8-11.

excuse of being committed under circumstances of temptation, which is destructive of all reverence of God's holy name, and which is equally a violation of manners, morals, and religion. The fourth appoints a time for religious worship. All nations, that have been blessed with the true religion, have concurred in the duty of worshipping the true God ; and, so strong is the conviction, that "there is a power above us," in the minds of men, that they who have not enjoyed the true religion, have still worshipped gods which their own imaginations have devised, and which their own hands have fashioned. In the acknowledgment of God, it is suitable that there should be an outward homage, significant of our inward regard and reverence. If, then, it is a duty to worship God, it is proper that some time be set apart for that purpose, when all may worship him harmoniously and without interrupting each other. One day in seven is surely no more than a reasonable portion of time to be devoted to so high a purpose. The fifth enjoins upon children that respect and honor of their parents, which is due to them next after the homage paid to Almighty God, and which, as St. Paul says, "is the first commandment with promise."*

Injuries to our neighbour are then classified in the remaining five commandments. They are divided into offences against life, chastity, property, and character. It is worthy of notice, also, that the greatest offence in each class is expressly forbidden. Thus, murder is the greatest injury to life ; adultery, to chastity ; theft, to property ; and perjury, to character. Again, the greater offence must include the less of the same kind. Murder must include every injury to life ; adultery every offence against chastity, and so of the rest.† Moreover, the moral code is closed and perfected by a command forbidding even improper *desire* in regard to our neighbour. The neglect of the duties thus prescribed, and the committing of the offences forbidden,

* Ephesians, vi. 2.

† This view of the sixth, seventh, eighth, and ninth commandments is fully sustained by our Saviour himself. See Mat. v. 21, 22, 27, 28, where every thing *tending* to endanger life is pronounced to be a violation of the sixth ; and every thing *tending* to excite or inflame lust, a violation of the seventh commandment.

are the frequent theme of prophetic warning, remonstrance, and denunciation, throughout every part of the Mosaic dispensation.

But Hebrew morality is not yet exhausted, and is worthy of still further illustration. The fifteenth Psalm contains a summary of personal duty so excellent, that it has drawn forth the admiration of some, who have not admired many other parts of the sacred writings. The Book of Proverbs is an extremely valuable collection of moral and prudential maxims and sentiments, the result of the enlarged experience of the wisest of men, and applicable to every situation and exigency of human life. The cautions against suretiship will be most commended by those who have had most experience in human affairs. Nowhere do we find stronger commendations of industry, frugality, chastity, temperance, and integrity, or more serious warnings against idleness, strife, envy, drunkenness, and rioting. Nowhere are the ruinous courses of the wicked more impressively depicted, or the inevitable consequences to which they lead, more graphically delineated. Nowhere are pride, covetousness, selfishness, the indulgence of rash anger, and the abuse of the tongue in the manifold ways of falsehood, slander, secret calumny, false witness, and blasphemy, more forcibly reproved. Nowhere are the wiles, the cunning, and the hardened front of the woman, "who forsaketh the guide of her youth and forgetteth the covenant of her God," and "whose house is the way to hell, going down to the chambers of death," more vividly described. All authors, ancient and modern, cannot furnish such a picture of the virtuous woman.* Every duty in life is enjoined and skilfully commended to our notice, and not only every vice, but every species of folly and even indiscretion, is guarded against.

But it is in his concern for the young, and in his commendation of wisdom, that the wisest of men has put forth all the strength of his persuasive wisdom and eloquence. "Happy is the man that findeth wisdom, and the man that getteth understanding. For the merchandise of it is better than the merchandise of silver, and the gain thereof than fine gold. She is more

* Prov. xxxi. 10 - 31.

precious than rubies ; and all the things thou canst desire, are not to be compared unto her. Length of days is in her right hand ; and in her left hand riches and honor. Her ways are ways of pleasantness and all her paths are peace. She is a tree of life to them that lay hold upon her ; and happy is every one that retaineth her. The Lord by wisdom hath founded the earth ; by understanding hath he established the heavens.”*

Moreover, the books usually termed Apocryphal in reference to their origin, must not be entirely omitted, even in a very brief review of the moral writings of the Hebrews. They are partly historical and partly moral, and may well be read, as St. Jerome says, “ for example of life and instruction of manners.” They are written in the peculiar style of the Hebrew Scriptures, and manifestly by men of distinguished piety. It will not be necessary to advert to any but the moral part of these writings. “ The Wisdom of Solomon ” consists of two parts ; the first, which is written in the name of Solomon, contains a description or encomium of Wisdom ; by which comprehensive term the ancient Hebrews understood prudence and foresight, knowledge and understanding, and chiefly a high sense of religion and of moral obligation. Of virtue the author says, “ The memorial thereof is immortal ; because it is known with God and with man. When it is present, men take example at it ; and when it is gone, they desire it ; it weareth a crown, and triumpheth for ever, having gotten the victory, striving for undefiled rewards.”† Of old age he says, “ Honorable age is not that which standeth in length of time, nor that is measured by number of years ; but wisdom is the gray hair unto men, and an unspotted life is old age.”‡ The other part contains a variety of subjects, reflections on the history and conduct of the Hebrews, &c. The ancients admired this book for its elegance, and for its admirable moral precepts, and some of them styled it “ the treasury of virtue.”

“ The Wisdom of Jesus the Son of Sirach, or Ecclesiasticus,” opens with an exhortation to the pursuit of wisdom. To this succeeds a collection of moral sentences or maxims, arranged very much after the manner of the Proverbs of Solomon,

* Prov. iii. 13-19. † Wisdom of Solomon, iv. 1, 2. ‡ Ch. iv. 8, 9.

and continuing to the end of the forty-third chapter. Here the author commences a eulogy of the patriarchs, prophets, and other celebrated men among the Hebrews, which is continued through the fiftieth chapter. The book concludes with a prayer. Except the inspired writings, a collection of purer moral precepts does not exist.

The unrivalled description of the power and majesty of Truth, contained in 1 Esdras, iv. 34, &c., has been universally admired. "Great is the earth, high is the heaven, swift is the sun in his course, for he compasseth the heavens round about, and fetcheth his course again to his own place in one day. Is he not great that maketh these things? Therefore, great is the truth, and stronger than all things. All the earth calleth upon the truth, and the heaven blesseth it; all works shake and tremble at it, and with it is no unrighteous thing. Wine is wicked, the king is wicked, women are wicked, all the children of men are wicked, and such are all their wicked works; and there is no truth in them; in their unrighteousness also they shall perish. As for the truth, it endureth, and is always strong; it liveth and conquereth for evermore. With her, there is no accepting of persons or rewards; but she doeth the things that are just, and refraineth from all unjust and wicked things; and all men do well like of her works. Neither in her judgment is any unrighteousness; and she is the strength, kingdom, power, and majesty of all ages."

3. As the Gospel of Christ is, in all respects, more perfect than the Mosaic dispensation,* "for the law made nothing perfect, but the bringing in of a better hope did," † it may be expected that its morals will partake of this superior perfection. This higher morality consists not merely, nor perhaps principally, in the particular precepts dispersed through the writings of the New Testament, but much more in the spirit which pervades these writings, in the universality of the design of the Gospel, in the moral sanctions which this Gospel establishes, in the moral qualities, habits, and sentiments displayed in the lives, conversation, and instruction of its inspired teachers and primitive

* Heb. i. 1-3; iii. 1-6.

† Heb. vii. 19.

disciples ; and, above all, in the divine character of the Saviour himself. It may be useful to give a very rapid sketch of the qualities and characteristics of the morals of the Gospel, before proceeding to expand, illustrate, and apply the system in its details.

(1.) The Mosaic dispensation was a shadow of good things to come, and not the very image of the things ;* but life and immortality are, in a preëminent sense, brought to light through the Gospel.† The writings of the Old Testament were less clear and definite in regard to a future life than might be wished ; and one chief design of Christianity, as a revelation, was to influence the conduct of human life, by giving unquestionable proof of a future state of rewards and punishments. The direct object, therefore, of the design was to furnish *motives* to moral conduct rather than *rules* ; *sanctions* rather than *precepts*. And mankind stood most in need of motives and sanctions. The works of the Greek and Roman moralists show, that the members of society can, in all ordinary cases, judge very well what their duty is ; but, without a future state, or, what is the same thing, without accredited evidence of such a state, they want a motive to their duty ; at least they want strength of motive sufficient to bear up against the force of passion and the temptation of immediate interest. The rules of the ancient moralists were without sanctions and authority. In conveying to the world, therefore, unquestionable assurances of a future existence, Christianity supplied precisely what was most needed by mankind, and rendered the very service, which it might have been expected *à priori* would be, so far as morals were concerned, the chief end and office of a revelation from God.‡

(2.) Again ; Christianity is the only religion, which has ever contemplated extending itself and its blessings through the earth by peaceable means ; which has made its duties and obligations universally binding ; and which has imparted its encouragements, its hopes, its prospects, its consolations, and its renovating and purifying power, to men of all conditions and circumstances of life.§

* “*Effigies solida et expressa.*” — Cicero, *De Officiis*, Lib. III. c. 17. See also Heb. x. 1.

† 2 Tim. i. 10.

‡ See Paley’s *Evidences of Christianity*, p. 224.

§ See Mat. viii. 11 ; x. 18 ; xiii. 38 ; xxviii. 19, 20 ; Mark, xvi. 15, 16 ; John, x. 16.

Mahomet and his successors contemplated making his religion universal ; but they relied for success on the power of the sword. A brief historical review will convince us, that this characteristic of the Gospel is much more extraordinary than we are accustomed to suppose ; and that, before the time of Christ, it had not entered into the mind of any one, that the extension of a single religion throughout the earth was either possible or desirable ; much less, that it could become the duty of each individual to contribute to this extension according to his ability, or that it was the moral duty of each one to regard the whole human race as his brethren, and to consult their welfare and interest as occasion might occur and opportunity be presented. The Jewish religion was exclusive and even repulsive in its spirit, and several of its provisions unfitted it to extend over more than a small tract of country.*

Before the coming of Christ, as well as since, almost no age has been destitute of individuals, who, looking beyond mere kindred and self-interest, have been willing to contribute the fruit of their labor and genius to the good of mankind. The number of such men, with whom Providence has from time to time blessed the earth, has been considerable, and they shed a lustre over the ages to which they respectively belong. But as disinterested as was the aim of these individuals, as exalted as was their purpose, and as expansive as their benevolence might be ; they never reached more than a *part*, and usually a very small part of mankind. No one, even in the utmost ardor of his zeal, ever thought of embracing *all men* within the ample sphere of his good-will, and still less entertained a serious design of benefiting, either morally or physically, the entire human race. We may understand, indeed, how far such a design was from being entertained even by the best men, from the saying of Cicero, himself, next to Socrates, the most perfect example of expansive good-will up to his time ; to wit, that *a man's country* embraced all the affections of every man.† This he says, not by way of censure, but of approbation, and as the utmost stretch to which the good-will of any man ought to expand itself. Probably even

* Exod. xxiii. 14, 17 ; Deut. xvi. 16.

† De Officiis, Lib. I. c. 17.

this distinguished man would have viewed a further extension of good-will as overstepping the bounds of reason and patriotism. The design, then, of benefiting morally and religiously the whole human race, without regard to complexion, country, climate, or other circumstances, — a design which enters into the very essence and heart of Christianity, — had occurred to no one before the advent of the Saviour of mankind. But this is a most important feature of Christianity, and will be seen still more manifestly and impressively, if we inspect ancient history and ancient writings somewhat more minutely.

His mind must be infected with incurable prejudice, who has studied the writings of the ancient Greeks and Romans, without kindling with admiration of the moral and intellectual qualities of many of the patriots and statesmen whose names adorn the annals of these celebrated nations. Their actions and writings, and the traits of personal character which those writings make known to us, contain much, very much, that is worthy of our admiration ; and his taste and judgment are not to be envied, who can hold them in light estimation. Still it is doing no injustice to these illustrious authors, patriots, and statesmen, to say, that no one had attained the comprehensiveness of good-will, which led him to entertain the design, or to devise a plan of benefiting all men without discrimination.

The great fame of Hercules has been celebrated from the earliest dawn of history to the present hour, yet he did no more than wander over the earth ; by his great strength, ridding the inhabitants, wherever he came, of the monsters which afflicted them. This he did, moreover, impelled (it is said) by the anger of Juno, and not from his spontaneous good-will. He is not said, even by tradition, to have formed any plan for instructing, reforming, or otherwise morally improving the human race, or any part of it. The design of such men as Sesostris, Alexander, Pyrrhus, and Cæsar, was in no other sense universal, than as they wished to devastate the earth universally, and subject all mankind to military domination and despotic sway.

The early founders of cities, too, who, themselves rising above the ignorance and barbarism of their times, had the skill and address to assemble men in considerable numbers, and to put them

in the way of becoming civilized, by introducing agriculture, commerce, manufactures, the arts, letters, and government among them, are well entitled to much praise and admiration; still their enterprises, as meritorious as they were, admit of contrast rather than comparison with the founding of that great commonwealth of righteousness and peace, into which the author of Christianity proposed to bring all men wherever scattered over the face of the earth. We must form the same judgment of those men, who by their personal valor and military skill defended their country in ancient times. The history of the Greeks and Romans is full of examples of this kind; Miltiades, Themistocles, Leonidas, Agesilaus, Epaminondas, Philopœmen, Brutus, Fabricius, Camillus, Marcellus, the Scipios, and many others. Who does not know, and who can forget, their splendid achievements, their elevation of mind, and their intense love of country? But in illustrating the point before us, it cannot be necessary to do more than *refer* to men of this class. Amidst all their greatness, they never looked beyond the interests of their own country. Instead of wishing to benefit *all mankind, or as many as possible*, the object of their achievements could only be accomplished by the overthrow and destruction of all opposed to them. And, moreover, the motive from which they acted was of a mixed nature, composed quite as much of a desire of personal fame as of the pure love of country.

Nor, if we turn to the ancient lawgivers, salutary and praiseworthy as their labors were, shall we find any one who had formed a plan of extending the benefit of his labors to all mankind. Their laws are filled with no doubtful or indistinct traces of narrow and selfish views, and not unfrequently manifest a jealous and hostile spirit towards all other nations. To the class of lawgivers belong the Seven Wise Men of Greece, so called by reason of the wisdom supposed to be manifested in the laws and maxims which they wrote and promulgated. It was the pervading policy of all the ancient States, and especially those of Lacedæmon and Rome, to make the citizens warriors, and to encourage and inspire them with the spirit of conquest and the lust of domination. Even in time of peace, one nation did not look upon another with a friendly eye. The Roman law

lays it down as a settled principle, with respect to nations with whom the Romans were at peace, but had no particular *alliance*, that whoever passed from one country to the other, immediately became a slave.* The views of them all were comparatively exclusive, contracted, and selfish.

If, moreover, we resort to the ancient philosophers, who flourished before the coming of Christ, and make ourselves acquainted with their lives and writings, we shall still be unsuccessful in finding any one who raised his mind above his immediate sphere, or whose good-will was much more expansive than that which we have ascribed to the ancient lawgivers and founders of cities. Some of them admit, indeed, that there is a certain degree of relationship (*societas*) among all mankind, the bond of which consists in reason and speech; and that men are not born for themselves alone, but that they may be useful to each other; † but we search the writings of the ancient philosophers in vain for any plan of benevolence embracing all mankind, and for any trace of that fraternal love, by which the Saviour sought to unite all the families of the earth in unity of faith, and in the bonds of righteousness and peace.

If we regard practical wisdom, good-will to man, ardor and zeal in instructing and benefiting as many as possible, Socrates is confessedly the chief of the ancient philosophers. What scholar can peruse his defence of himself and his instructions, as given by his celebrated disciple Plato, ‡ without being strongly affected, and moved with admiration of that greatness of mind, which, in prosecuting his salutary and disinterested design, led him to disregard and despise all the objects usually esteemed most valuable among men. He declares in presence of his judges, that he will not be deterred, by the fear of any punishment which they can inflict, from maintaining his accustomed intercourse with his fellow-citizens, in which his habit had been to avail himself of every opportunity to exhort them to the practice of honor and virtue. He professes, that he will not yield obedience to their decrees, if they attempt to prevent him from instructing his countrymen in the way of truth and

* Digests, 49. 15. 5. 2.

† Cicero, *De Legibus*, Lib. I., and *De Officiis*, Lib. I.

‡ *Apologia Socr.*

duty ; and adds the celebrated resolution, “ I will obey the Divinity rather than you.” * He declares, that he has been given to his country by the special favor of the Divinity, and says, that, mindful of his high commission, he has, during many years, to the total neglect of his private interest, devoted himself to the welfare of his countrymen, and, addressing the citizens individually as opportunity offered, with all the interest and affection of a father or an elder brother, has exhorted them to the love and practice of virtue.

But, noble and disinterested as were the views of this greatest of all the ancient philosophers, what comparison can be instituted between him and the Author of Christianity, in regard to their respective designs, and the spirit manifested in them ? Socrates labors to instruct and reform the Athenians ; Jesus designs to instruct and renovate the human race, spread over the face of the earth ; and not only so, but his design embraces the renovation and salvation of all the future generations of mankind. Socrates, although he sees how vain and impious the sentiments of his countrymen are, concerning the nature of the Divinity, not only does not dare to overthrow the idolatry of Athens, but *thinks that some allowance should be made for their prejudices, and even participates in their superstition.* The Gospel of Jesus, on the other hand, was designed (and much of this design has been accomplished) to overthrow and exterminate all false divinities throughout the earth, and to bring all men to unite in the worship of the supreme and true God. Socrates is not deterred from his design by the menaces of his ungrateful countrymen, and at length perishes by a mild and honorable kind of death. The design unfolded in the Gospel of Jesus excites against him, both the utmost virulence of the Jews, and the scorn and contempt of the Gentiles ; and at length he dies the death of the cross, a punishment, of all the most painful and ignominious. Finally, although we may rightfully view Socrates as the first of all the philosophers of antiquity, still, when we consider the plan which he devised, the labors he performed, or the knowledge he imparted, we must be convinced that he was far, very far,

* Πείσομαι δὲ τῷ Θεῷ μᾶλλον ἢ ὑμῖν.

surpassed, even by the *apostles of our Saviour*; and that, in respect to the Saviour himself, when we regard the design, the spirit, and the power of his Gospel, NEVER MAN SPAKE LIKE THIS MAN.*

(3.) Christianity is the only religion which has undertaken to control and regulate the prime sources of human action, by putting a moral restraint on the thoughts. The feelings and propensities of mankind, which require to be specially curbed in their ultimate sources, are of two kinds, — the malicious, and the voluptuous passions. “From within,” says our Saviour, “out of the heart of men, proceed evil thoughts, adulteries, fornications, murders, thefts, covetousness, wickedness, deceit, lasciviousness, an evil eye, blasphemy, pride, foolishness; all these evil things come from within, and defile the man.” † He denounces the Scribes and Pharisees in the most severe terms, because, while they made clean the outside of the cup and of the platter, they were *within* full of extortion and excess. He says, they appeared outwardly righteous unto men, but *within* were full of hypocrisy and iniquity. And he compares them to whited sepulchres, which appear outwardly beautiful, but *within* are full of dead men’s bones and of all uncleanness. ‡ And, above all, the searching and decisive declaration designed to curb the first risings of unlawful desire; — “Whosoever looketh on a woman to lust after her, hath committed adultery with her already in his heart.” §

No one can doubt, that the control and regulation of the passions and propensities of our nature is indispensable, and that the placing the check on the *thoughts*, instead of the *actions*, is one important point of difference between religion and law. While Christianity manifests the utmost solicitude to regulate the affections, appetites, and desires, the law is contented with bringing the *actions* of delinquents to its tribunal, and does not take notice of their thoughts, or even their intentions, except so far as these give a character to their actions. From the nature of the case, the law must be satisfied with regulating the actions of men; but Christianity, addressing itself immediately to the conscience,

* John vii. 46. — See Reinhard’s *Opuscula Academica*, Vol. I. p. 240, &c.

† Mark vii. 21–23.

‡ Mat. xxiii. 25–28.

§ Mat. v. 28.

has the power to penetrate the inmost recesses of the human breast, and to curb the inmost thoughts. Christianity makes the control of the thoughts essential. External appearance is no recommendation, internal purity is every thing. And every reflecting man must be convinced, that this is the only discipline which can succeed. The law of the land is extremely defective, as a moral system, because, among other reasons, while it prohibits certain actions, it can impose no restraint on the thoughts. Wise legislators, in all ages, have been sensible of this deficiency in the reach of the law.* Without restraint, all the passions soon become ungovernable, and their effects disastrous. "Every moment of time," says Haller, "that is spent in meditations upon sin, increases the power of the dangerous object which has possessed our imagination." † This may suffice to illustrate the great moral feature of Christianity, which goes up to the sources of human conduct, and imposes a curb, where it will be most effectual, on the thoughts, affections, passions, appetites, desires, and intentions.

(4.) In Christianity, mere profession is unvalued and disregarded, unless accompanied by practical morals and active virtue. "Not every one (no one) that saith unto me, Lord, Lord, shall enter into the kingdom of heaven; but he that doeth the will of my Father who is in heaven." ‡ "I will have mercy and not (rather than) sacrifice." § "Not the hearers of the law are just before God, but the *doers* of the law shall be justified." || "Be ye *doers* of the word, and not hearers only, deceiving your own selves. Whoso looketh into the perfect law of liberty, and continueth therein, he being not a forgetful *hearer*, but a *doer* of the word, this man shall be blessed in his deed." Again, "Pure religion and undefiled before God and the Father is this, — to visit the fatherless and widows in their affliction, and to keep himself unspotted from the world." ¶

Any profession of Christianity which does not produce good works, as its natural fruit, is pronounced vain and hypocritical. In this way, Christian morals are inseparably incorporated with

* See above, pp. 30 – 32.

† Quoted by Dr. Paley, *Evidences of Christianity*, p. 232.

‡ Mat. vii. 21. § Mat. ix. 13. || Rom. ii. 13. ¶ James i. 22 – 27.

a profession of the Christian religion. “Bring forth, therefore, fruits meet for repentance.”* Again, “Ye shall know them by their fruits. Do men gather grapes of thorns, or figs of thistles? Even so, every good tree bringeth forth good fruit; but a corrupt tree bringeth forth evil fruit. A good tree cannot bring forth evil fruit, neither can a corrupt tree bring forth good fruit. Every tree that bringeth not forth good fruit, is hewn down, and cast into the fire. Wherefore by their fruits ye shall know them.”† Again, comparing faith and works, St. James says, “What doth it profit, my brethren, though a man say he hath faith, and have not works? Can faith save him? If a brother or sister be naked, and destitute of daily food, and one of you say unto them, Depart in peace, be ye warmed and filled; notwithstanding ye give them not those things which are needful to the body; what doth it profit? Even so faith, if it hath not works, is dead, being alone. By works a man is justified, and not by faith only. For, as the body without the spirit is dead, so faith without works is dead also.” And the same sacred writer declares, that mere belief in *one* God without a corresponding moral effect, is no better than the belief of devils, who, while they believe, tremble at the vengeance of the Most High.‡

We have seen that mere profession, and even zeal, however impassioned, without corresponding practical virtue, will not be acceptable; and it may be added, that neither are actions, done from motives of ostentation and desire of fame, virtuous in the eye of Christianity. Still it is the *selfish* desire of fame, to be used for purposes of self-gratification only, or chiefly, and not to be turned to the benefit of mankind, on which Christianity frowns. We may aim, and ought to aim, to acquire reputation, which we propose to ourselves to use rightfully and beneficially. “Take heed that ye do not your alms before men, to be seen of them, otherwise ye have no reward of your Father which is in heaven. When thou prayest, enter into thy closet; and, when thou hast shut the door, pray to thy Father which is in secret; and thy Father which seeth in secret shall reward thee openly.”§

* Mat. iii. 8. † Mat. vii. 16–20. ‡ James ii. 14–26. § Mat. vi. 1–6.

What is here said of prayer and almsgiving, must, by parity of reasoning, be applied to all other duties and virtues. "This exclusion of regard to human opinion," says Dr. Paley, "is a difference, not so much in the duties to which the teachers of virtue would persuade mankind, as in the manner and topics of persuasion. And in this view the difference is great. When we set about to give advice, our lectures are full of the advantages of character, of the regard that is due to appearances, and to opinion; of what the world, especially of what the good or great, will think or say; of the value of public esteem, and of the qualities by which men acquire it. Widely different from this was our Saviour's instruction; and the difference was founded upon the best reasons. For, however the care of reputation, the authority of public opinion, or even of the opinion of good men, the satisfaction of being well received and well thought of, the benefit of being known and distinguished, are topics to which we are fain to have recourse in our exhortations; the true virtue is that which discards these considerations absolutely, and which retires from them all, to the single internal purpose of pleasing God. This, at least, was the virtue which our Saviour taught. And in teaching this, he not only confined the views of his followers to the proper measure and principle of human duty, but acted in consistency with his office as a monitor from Heaven."*

Furthermore, with Christianity, the mild, gentle, and peaceful virtues take precedence of all others. "As we have many members in one body, and all members have not the same office; so we, being many, are one body in Christ, and every one members one of another." That is, Christians, in respect to harmony, are to resemble the limbs of the human body in their intimate union. "Let love be without dissimulation. Be kindly affectioned one to another with brotherly love; in honor preferring one another; patient in tribulation, continuing instant in prayer; distributing to the necessity of saints; given to hospitality. Bless them which persecute you; bless, and curse not. Rejoice with them that do rejoice, and weep with them that weep. Be of the same mind one toward another.

* Evidences of Christianity, p. 238.

Mind not high things, but condescend to men of low estate. Be not wise in your own conceits. Recompense to no man evil for evil. Provide things honest in the sight of all men. If it be possible, as much as lieth in you, live peaceably with all men. Avenge not yourselves, but rather give place unto wrath: for it is written, Vengeance is mine; I will repay, saith the Lord. If thine enemy hunger, feed him; if he thirst, give him drink. Be not overcome of evil, but overcome evil with good.”*

These passages all stand by the side of each other; the New Testament is full of such; it is superfluous to quote more. Even among the mild virtues, which, as a class, take precedence of all others, the preference is given to charity, or a good-will so diffusive as to embrace all mankind. This crowning virtue of Christianity, moreover, is preferred before that hope which maketh not ashamed, which is a helmet of salvation, and an anchor of the soul both sure and steadfast; † and before that faith, which is the substance of things hoped for, the evidence of things not seen, and without which it is impossible to please God. “And now abideth faith, hope, charity, these three, but the greatest of these is charity.” ‡ St. Paul says, “If there be any other commandment, it is briefly comprehended in this saying, Thou shalt love thy neighbour as thyself.” And again, “For all the law is fulfilled in one word, even in this, Thou shalt love thy neighbour as thyself.” § St. John says, “This commandment have we from him, That he who loveth God, love his brother also.” || St. James calls the same commandment, “the royal law.” ¶

(5.) The peculiar doctrines of Christianity were, at its first promulgation, absolutely new to the world, and the character of the Christian is to be formed under the united influence of its doctrines and its morals. And, if it cannot be said of its morals as of its doctrines, that there was any thing *absolutely new* in them, still it can be said, with the most perfect truth, that Christianity has improved and corrected our views of all the virtues and duties of life, by infusing its peculiar spirit into them. This

* Rom. xii. 4-21.

† Rom. v. 5; 1 Thess. v. 8; Heb. vi. 19.

‡ Heb. xi. 1-6; 1 Cor. xiii. 13.

§ Rom. xiii. 9; Gal. v. 14.

|| 1 John iv. 21.

¶ James ii. 8.

is the case with some much more than with others ; — patriotism, friendship, and humility, may serve for illustration. It was impossible that a religion so benign as the Christian, destined to be universal, and being itself the ultimate standard of morals, should be without an influence on the entire department of morals, — if not direct, still both real and beneficial.

Patriotism, as understood in Greece and Rome, and too often also in later times, justified outrageous wrong towards every other nation,* provided the patriot could, by such wrong, advance the supposed interests of his own country. Christian patriotism, while it permits and requires a just preference of our own country, still enjoins good-will to all other nations. Again, many of the sentiments of the ancient writers respecting friendship are just and proper in themselves, and cannot be perused without admiration. They comprise tenderness, amiableness, faithfulness, and a willingness to make sacrifices for the sake of a friend ; but, at the same time, they permit and encourage a spirit of exclusion and indifference to the welfare of all who are out of the pale of a man's friendship, that has been softened by the universal benevolence, which is the corner-stone of Christian morals. So again, humility (*humilitas*), which among the Romans signified *meanness*, *abjectness*, in its Christian meaning signifies a low estimation of ourselves and our deserts *in the sight of God*, but is not inconsistent with all suitable manliness and independence of spirit and conduct *in the sight of men*. Finally, Christianity has softened and rectified the spirit and temper, which we should carry into all the situations and relations, which we sustain in life, by enjoining on us the great law of love ; to wit, “ All things whatsoever ye would that men should do to you, do ye even so to them.” †

But the *character* of our Saviour, as well as the doctrines and moral precepts taught by him, is a part of the morality of the

* The Roman history, however, contains instances to the contrary. — See Cicero, *De Officiis*, Lib. III. c. 11, 22. “ Non fraude, neque occultis, sed palam et armatum populum Romanum hostes suos ulcisci,” — “ Not by fraud, not by secret machinations, but openly and armed, the Roman people avenges itself on its enemies ; ” was the answer of the Senate of Rome to the proposition of the king of the Catti, to take off Arminius by poison.

† Mat. vii. 12.

gospel ;* without some delineation of which, this part of my labors would be too imperfect and unsatisfactory. But how shall I acquit myself on this part of the subject ? Not by attempting *to do it justice* ; for this would be impossible. Who can, with safety, attempt to portray the moral character of the Saviour of mankind ? As never man *spake*, so never man *acted*, like this man. † What may not be done *fully*, however, may be done *imperfectly* ; and, if a vivid picture cannot be drawn, a faint one at least may be furnished. The imperfections may well be attributed to the writer.

The greatest of the Roman orators and moralists, and the most eloquent and valuable writer of all antiquity, (Cicero,) has left us a delineation of a great and good character, in the drawing of which, he may well be presumed to have exhausted his utmost skill.

The chief excellences combined in the character of the great and good man delineated by him, are, a low estimate (contempt) of riches, power, honor, and the other gifts of fortune, — a willingness to undertake arduous labors, incur dangers, and even expose life itself in a good cause, — independence of mind, — the pursuit of nothing but what is honorable and praiseworthy, — and that complete self-control, which raises a man above the influence of all passion and agitation of mind, and puts it beyond the power of external circumstances to discompose or otherwise disturb him. ‡ And it must be admitted, that these

* Paley's Evidences of Christianity, p. 252.

† John vii. 46.

‡ I subjoin the entire passage, of which the above is a summary. — "All true greatness of mind," says he, "is especially seen in two things ; — the first is a generous contempt or disregard of all the goods of fortune, proceeding from an opinion, that it is unworthy of a man, to admire or wish for or endeavour after any thing, unless it be honorable and becoming ; to submit himself to the will of any one ; to be a slave to his own irregular passions ; or, in any way, to be affected by the caprices of fortune. When he has acquired such a temper of mind as I have been describing, — then the second thing is, that he perform such actions as are glorious and beneficial, but withal very full of labors and difficulties, and extremely hazardous to life itself, as well as to those things which pertain to life, and on which the value of life very much depends. Now all the lustre and dignity of these two things, nay, I add, all their usefulness too, consists in the latter ; but the principle, as it were, and effective cause of all true greatness, consists in the former. For, in that," continues he, "are contained those noble aspirations, which exalt men's minds, and raise them above

are severe and searching tests by which to try greatness and excellence of character. But we may subject the character of the Saviour of mankind to tests vastly, nay, infinitely more severe, searching, and comprehensive, than those put forth by the rich and cultivated imagination of this greatest master of all antiquity, and it will not be found wanting.

1. We may reflect on the moral sublimity of **THE DESIGN OF HIS COMING**; which was to bring life and immortality to light;* to overthrow the dominion of Satan, sin, and misery; and to establish an empire of peace, knowledge, and righteousness, which should embrace all the nations of the earth within its ample bounds.

2. We may reflect on **THE NATURE OF THE MEANS WHICH HE EMPLOYED TO ACCOMPLISH HIS SUBLIME AND BENEFICENT DESIGN**; which were, the exclusive devotion of himself to every labor of benevolence; to the working of miracles, which were to be, in every country and in all succeeding time, the standing and overwhelming proofs of the divinity of his mission; to the instruction of all men without discrimination of rank, as occasion was given him, and of a select band of disciples in particular, to whom was to be intrusted a portion of his miraculous power; the instructing of all mankind in his religion, and the organization of a society (the church),† designed to be a universal commonwealth of peace, intelligence, and holiness; and, to crown all, *the voluntary sacrifice of himself* on the cross, to make an atonement by which the pardon of sin might be rendered possible, and repentance might become effectual to salvation.

all earthly things. The first particular, too, is itself made up of two parts,—
 1. An opinion, that nothing is truly and really good, but what is honorable,
 2. Freedom from every kind and degree of passion or disturbance of mind. For, what can more discover a man of a brave and heroic spirit, than to make no account of those things which seem so glorious and dazzling to the generality of mankind, but entirely to disregard them; not from any vain caprice and humor, but from solid and firm principles of reason and judgment. Or what can more show strength of mind and unshaken constancy, than to bear those heavy and numerous calamities, which are incident to mankind in this life, with such firmness and consistency of temper, and fixedness of soul, as never to transgress against nature and right reason, or do any thing unworthy of the dignity and character of a wise man.” — *De Officiis*, Lib. I. c. 20.

* 2 Tim. i. 10.

† See Bishop Butler's Works, p. 159. London, 1828.

3. Again, we may reflect on THE PERSONAL QUALITIES DISPLAYED BY THE SAVIOUR, in prosecuting a design thus fraught with the choicest hopes and prospects of mankind ; his patience and endurance, equally inexhaustible by labor, by suffering, and by provocation ; his uncompromising denunciations of iniquity, in places however high, and under circumstances however hazardous ;* his mildness and benevolence, as seen in his kindness to children,† in his weeping upon the death of his friend Lazarus‡ and over the approaching ruin of his country,§ in his notice of the widow's mite,|| in his parables of the ungrateful servant, of the pharisee and publican, and of the good Samaritan, and in his prayer for his enemies in the midst of his sufferings, which seems *then* to have been new, though it has *since* been frequently imitated ; his humility, as seen in his commending moderate desires after the goods of fortune,¶ and in his constant reproof of contentions for superiority ; his piety and devoutness of mind, as seen in his frequent retirement for solitary prayer,** in his habitual giving of thanks,†† in his reference of the laws and beauties of nature to a Divine Providence,‡‡ in his earnest addresses to his Father, more particularly the brief but solemn prayer before calling Lazarus from the tomb, in the profound piety of his behaviour in the garden on the last evening of his life ; §§ his prudence, where prudence is most wanted, that is, on trying occasions, and in giving answers to artful and ensnaring questions. Particular and striking instances of these are seen in his withdrawing, at various times, from the first symptoms of tumult, |||| with the wish of prosecuting his ministry in quietness ; in his declining every kind and degree of interference with the civil affairs of the country ; in his judicious answer to the ensnaring question respecting the payment of tribute to Cæsar ; ¶¶ in his solution of the difficulty concerning the interfering relations of a future state, as proposed

* Matt. xi. 20 - 24 ; xxiii. 13 - 38, &c. † Mark x. 16. ‡ John xi. 35.

§ Luke xix. 41 - 44.

|| Mark xii. 42.

¶ Luke xii. 15 - 34.

** Matt. xiv. 23 ; Luke ix. 28.

†† Matt. xi. 25 ; Mark viii. 6 ; John vi. 23 ; Luke xxii. 17.

‡‡ Matt. vi. 26 - 28.

§§ John xi. 41 ; Matt. xxvi. 36 - 47.

|||| Matt. xiv. 22 ; Luke v. 15, 16 ; John v. 13 ; vi. 15.

¶¶ Matt. xxii. 19.

to him in the case of a woman who had married seven brethren;* and, more especially, in his reply to those who demanded from him an explanation of the authority by which he acted, which reply consisted in proposing a question to them, situated between the very difficulties into which they were insidiously endeavouring to draw him. †

4. Finally, we may reflect ON THE EFFECTS PRODUCED BY CHRISTIANITY EVEN THUS FAR, as seen in its superseding the Mosaic dispensation, which was but “the shadow of good things to come”; ‡ in its gradual undermining, successful assault, and final overthrow of the great system of Roman superstition, “which,” as Gibbon says, “was interwoven with every circumstance of business or pleasure, of public or private life, with all the offices and amusements of society;” § in the civilization, public order, general cultivation and refinement, which it communicated to the barbarians who destroyed the Roman empire, and, penetrating the forests and mountains from whence they issued, brought at length these countries themselves within its civilizing, enlightening, elevating, and purifying power; in the increasing knowledge, and advancement in art and science, in private and public morals, in social and political institutions, which have always accompanied its progress everywhere; especially in its accompanying the origin and advances of European colonization on this immense continent, in Africa, in the islands of the great Pacific and Indian oceans, and in the vast dominions of British India; in its diminishing the frequency, softening the fierceness, and mitigating the calamities of war; in its putting an end to the crime of infanticide; in its restoring the wife from a condition of humiliation and servitude, to be the companion, the associate, the confidential adviser and friend of her husband; in providing a home for the poor, the outcast, and the forsaken; and in exterminating the combats of gladiators, the impurities of superstitious rites, and unnatural vices not to be named and scarcely to be referred to in the presence of a Christian assembly,|| and known

* Matt. xxii. 28. † Matt. xxi. 23, &c. See Paley's Evid. pp. 252–257.

‡ Col. ii. 17; Heb. viii. 5; x. 1.

§ Quoted by Dr. Paley, Evidences, p. 19.

|| Exod. xxii. 19; Levit. xviii. 23; Deut. xxvii. 21; Rom. i. 24, 26, 27.

even by name only to antiquaries ; in the advancing cause of Christianity, which promises in the fulness of time to bring all nations within its benign pale ;—I say, when we thus reflect ON THE DESIGN OF THE SAVIOUR, THE MEANS USED BY HIM TO ACCOMPLISH HIS DESIGN, THE PERSONAL VIRTUES DISPLAYED BY HIM, AND THE EFFECTS OF CHRISTIANITY WHICH HAVE BEEN ACCOMPLISHED AND WHICH WE MAY ANTICIPATE, —we cannot fail to be satisfied of the immeasurable superiority of our Saviour's moral character, not only over all the real personages who have adorned the annals of mankind, but over the imaginary model drawn after the rich and fruitful imagination of the greatest of the Roman writers, orators, and moralists.

Such, to wit, the law of the land, the estimate of consequences, and above all the Scriptures of the Old and New Testament, including our Saviour's moral character, presented as it is for our imitation, are the chief sources by which the consciences of men are to be enlightened and guided.

It seems proper, in this connexion, to anticipate and dispose of a plausible objection, which has sometimes been urged against the science of moral philosophy.

It has been supposed by many good men, whose opinions are entitled to much respect, that as the New Testament must comprise a complete system of Christian morals, there can be no place for moral philosophy ; and, consequently, that this science has been so superseded as to be useless. To this objection it may be replied, 1. That the New Testament is rather the *basis* of a system of Christian morals than the *system itself*. It contains the root from which the system must grow up ; it is the mine, which, although full of the richest ore, still needs working.

2. The morals of the New Testament are taught, for the most part, incidentally ; its precepts are thrown out occasionally as they were suggested by circumstances and occasions. It is the province of moral philosophy to collect those which relate to the same subject, to classify, illustrate, and apply them. This

is in some measure the case with the doctrines of the New Testament, but is still more so with respect to its moral principles.

3. Many of the moral precepts of the New Testament are expressed in absolute terms ; they require to be qualified and limited, and it is the office of moral philosophy to ascertain these limitations and qualifications. Thus, “ Children, obey your parents in all things,”* “ Let wives be subject to their own husbands in every thing,” † “ Submit yourselves to every ordinance of man,” ‡ must all be suitably limited and qualified.

4. Again ; some precepts are proverbial, and describe the spirit and temper at which we ought to aim, rather than the particular actions we are to perform. Such are the directions, not to resist evil, to turn the other cheek, to go with him two miles who shall compel you to go one, to give your cloak to him who by process of law has taken your coat, not to lay up treasures on earth ; § these and many such like maxims are to be complied with in *the spirit which they teach*, and not in their *literal meaning*. Constant exemplifications of these four observations will be seen, as I proceed to collect, define, expand, illustrate, and apply the scriptural system of morals, to the various employments, situations, and circumstances of mankind, and to the various relations in life, which they are accustomed to sustain.

* Col. iii. 20. † Eph. v. 24. ‡ 1 Peter, ii. 13. § Matt. v. 39 - 42.

DIVISION OF THE SUBJECT.

No particular division of a subject is otherwise important than as it is natural, suited to the subject, sufficiently comprehensive, and contributes to perspicuity and order of arrangement. To secure these ends, writers on moral philosophy have used several divisions, suited to the particular views of the science, which they have taken themselves, and have wished to communicate to their readers.

By one ancient division, practical morals were divided into benevolence, prudence, fortitude, and temperance. "Benevolence," says Dr. Paley, "proposes good ends; prudence suggests the best means of attaining them; fortitude enables us to encounter the difficulties, dangers, and discouragements which stand in our way in pursuit of these ends; temperance repels and overcomes the passions that obstruct it. Benevolence, for instance, prompts us to undertake the cause of an oppressed orphan; prudence suggests the best means of doing it; fortitude enables us to confront the danger, and bear up against the loss, disgrace, or repulse that may attend our undertaking; and temperance keeps under the love of money, ease, or amusement, which might divert us from it." *

By another ancient division, virtue was divided into two branches, prudence and benevolence, — prudence consisting in attention to our own interest, benevolence in a regard for the interests of our fellow-men. The ancient moralists regarded prudence, fortitude, temperance, and justice, as the cardinal virtues. But they used these terms with a latitude of meaning quite unknown to them at the present time.

By wisdom, among the ancients, was understood universal knowledge of things human and divine; † while prudence (*φρόνησις*) was said to consist in a knowledge of things proper to be desired, or to be avoided. ‡ Prudence, therefore, differed from wisdom, as a part differs from a whole. Prudence, moreover, with them,

* Moral and Political Philosophy, p. 25.

† Cicero de Officiis, Lib. I. c. 43. ‡ Idem, Lib. I. c. 43; Lib. III. c. 17.

comprised what we call experience and practical skill, more especially the skill and presence of mind requisite to take measures wisely according to circumstances and emergences.* When all the parts of our nature were in perfect concord with one another, when the passions never aimed at any gratification which reason did not approve, and when reason never commanded any thing but what these, of their own accord, were willing to perform; this happy composure, this perfect and complete harmony of soul, constituted that virtue, which in the Latin language is expressed by a term which we usually translate *temperance*, but which might more properly be translated *equanimity*, or sobriety and moderation of mind.†

When the high-spirited passions, such as ambition, the love of excellence, the love of honor and the dread of shame, had that degree of strength and firmness, which enabled them, under the direction of reason, to despise all dangers in the pursuit of what was honorable and noble; it constituted the virtue of fortitude.‡ The Stoics defined fortitude to consist in courage (*virtus*) contending on the side of justice.§ Justice, the last and greatest of the cardinal virtues, was seen, when each of the faculties of the mind confined itself to its proper office, without attempting to encroach upon that of any other; when reason directed and passion obeyed; and when each passion performed its proper office, and exerted itself towards its proper object, easily and without reluctance, and with that degree of force and energy, which was suitable to the value of the object pursued. In this consisted that complete virtue, that perfect propriety of conduct, which Plato, after some of the ancient Pythagoreans, denominated justice.||

In modern times, moral philosophy has usually been divided according to the duties which it enjoins, rather than according to particular virtues; thus, 1. Our duties towards God; as piety, reverence, resignation, &c. 2. Our duties towards other men, that is, our relative duties; as justice, charity, fidelity, &c.

* Cicero de Officiis, Lib. I. c. 5; Lib. II. c. 9. Smith's Moral Sentiments, Vol. II. p. 68.

† See Euripides' Medea, 635, 636. Smith's Moral Sentiments, Vol. II. p. 68.

‡ Idem, Vol. II. pp. 67, 68. § Cicero de Officiis, Lib. I. c. 19.

|| Smith's Moral Sentiments, Vol. II. p. 68.

3. Duties towards ourselves ; as the preservation of life, care of health, chastity, sobriety, temperance, &c. This division has been retained by Dr. Paley, but still he does not seem to be satisfied with it.*

There are duties public and private, personal, domestic, social, and official. There are duties of peace and of war. There are duties appropriate to youth, to middle age, and to advanced life ; duties of sex, of condition, of time, of place, and of circumstance. There are duties of patriotism and of good neighbourhood ; duties of health and of sickness. The great and permanent relations of husband and wife, of parents and children, of master and servant, all bring their duties with them. Wealth brings its duties, influence its duties, knowledge its duties, talents their duties, rank its duties, and all the professions and employments of life their corresponding duties. It has not been easy to fix on a division which shall comprise all these particulars, and which shall, at the same time, be natural and perspicuous. After much reflection, I have concluded to use the following ;

PART I. Our relation to God, and the moral duties thence arising.

PART II. Our relation to our country, and the moral duties thence arising ; that is, the duties of patriotism.

PART III. The chief relations of mankind to one another, and the duties thence arising ; that is, the duties which men reciprocally owe to each other.

PART IV. Personal duties, or the duties of men to themselves.

PART V. A review of the chief professions and employments of life, so far as regards the moral duties which they involve, their moral principles, practices, influences, tendencies, &c.

PART VI. A special consideration of certain duties and virtues, of a character peculiarly Christian ; and a similar consideration of certain vices and evils.

The conclusion of the treatise embraces a review of the chief means on which we are to rely, for improving the moral condition of mankind, and for advancing human happiness.

* Moral and Political Philosophy, Book IV. p. 215.

PART FIRST.

OUR RELATION TO GOD, AND THE MORAL DUTIES THENCE ARISING.

CHAPTER I.

ELUCIDATION OF THIS HIGHEST OF OUR RELATIONS, AND OF THE MORAL INFLUENCE OF A BELIEF IN A SUPREME BEING.

THAT high and supreme relation, which connects man with his Maker, cannot fail, if our minds have not been debased by sin, or perverted by sophistry, to be considered by us, as of all, the most sublime and interesting. Our Maker is not only the supreme and ultimate cause of our existence, but our kind and unceasing Benefactor. As he has existed from everlasting, so he will continue to exist to everlasting. The heavens which cover us, and the earth which lies beneath our feet, as well as ourselves, are the workmanship of his hands. His power is infinite, his wisdom is unerring, his benevolence is perfect. Besides conferring upon us an immortal existence, all our hopes and prospects for time and eternity depend on our securing his favor and averting his displeasure.

Human excellence, even when most conspicuous, is blended with many imperfections, and seen amidst many defects. It is beheld only in detached and separate fragments, nor ever appears, in any one character, perfect and entire. So that when, in imitation of the Stoics, we wish to form out of these fragments the image of a perfectly wise and good man, we are sensible, that it is a mere fiction of the mind, without any real being in whom it is embodied and realized. In the belief of a Deity, however, these conceptions are reduced to reality; the scattered rays of an ideal excellence are concentrated, and become the real attributes of that Being with whom we stand in

the nearest relation, who sits supreme at the head of the universe, and pervades all nature by his presence and power.

The idea of the Supreme Being has this peculiar property ; that, as it admits of no substitute, so, from the first moment it is formed, it is capable of continual growth and enlargement. God himself is immutable, but our conception of his character is continually receiving fresh accessions, is continually becoming more extended and glorious, by having transferred to it new elements of sublimity and goodness, by attracting to itself, as a centre, whatever bears the impress of beauty, order, dignity, and happiness. It unites the splendor of every species of excellence ; of all that is fair, great, and good in the universe. The idea of a Supreme Being, and of a superintending Providence, invests the universe with all that is finished and consummate in sublimity and excellence. The admiration of perfect wisdom and goodness for which we are formed, and which kindles such glowing rapture in the soul, finds in this idea a source of full and exhaustless satisfaction. Thus contemplated, the world presents a fair spectacle of order, beauty, and harmony, of a vast family nourished and watched over by an Almighty Father.

When we reflect, therefore, on the manner in which the idea of Deity is formed, and on the sublime interest which a belief in the Deity, the first fair, the first sublime, the first good, imparts to the universe, we must be convinced, that such an idea and such a belief, intimately present to the mind, must have a most powerful effect in imbuing the mind with right moral tastes, affections, and habits, — the elements of moral character, and the springs of moral action. The efficacy of these views in producing and augmenting virtuous tastes and habits, will, indeed, be proportioned to the vividness with which they are formed, and the frequency with which they recur ; yet some benefit will not fail to result from them even in their lowest degree. And as the object of religious worship will always be, in some measure, the object of imitation, hence arises a *fixed standard of moral excellence* ; by the contemplation of which, the tendencies of man to wickedness are counteracted, the contagion of evil example is checked, and human nature rises above

its natural level. Our conception of the Deity, then, composed as it is of the richest moral elements, embraces, under the character of a Beneficent Parent and Almighty Ruler, whatever is venerable in wisdom, whatever is awful in authority, whatever is touching in goodness; and a belief in this Supreme Being, and in his superintending Providence, has always been accompanied by a salutary moral influence on mankind.*

The argument, which has been advanced respecting the great and *special moral influence* arising from a belief in a God and his superintending Providence, may be confirmed by an appeal to the recorded convictions of mankind, as seen in the writings of all times and every country. And this is a position of so much importance, that it may be well to set it in a perfectly clear light, by subjoining a few illustrations of this kind.

Mr. Addison, in the person of Cato, has well declared the natural and settled convictions of mankind at all times.

“ If there ’s a power above us,
 And that there is, all nature cries aloud
 Through all her works, he must delight in virtue;
 And that which he delights in must be happy; ”—

that is, must lead men to happiness.† An oath for confirmation,—an end of all strife,‡ is coeval with any considerable advancement in civilization among all nations, and is a public recognition of the moral influence of a belief in a Divinity, equally familiar and venerable. The moral influence of a belief in a Divinity, shows, moreover, the indissoluble connexion which subsists between religion and morals, as also between religious sentiment and moral character and conduct. “ Let no one,” says Plato, “ utter falsehood, or deceive, or commit any impure act with an invocation of the gods, unless he wishes to render himself hateful to the Divinity.”§ The prayer of Cyrus when death was approaching, is instructive in the same point of view.||

The works of Cicero are *everywhere* rich in instruction to the same effect. “ However much,” says he, “ we may be disposed to exalt our advantages, it is nevertheless certain, that we have been surpassed in population by the Spaniards, in physical force

* Robert Hall’s Works, Vol. I. p. 30.

† Tragedy of Cato, V. 1.

‡ Heb. vi. 16.

§ Quoted by Rosenmüller, in Exod. xx. 7.

|| Xenophon, Cyri Disciplina, Lib. VIII. c. 7.

by the Gauls, in shrewdness and cunning by Carthage, in the fine arts by Greece, and in mere native talent by some of our Italian fellow-countrymen ; but, in the single point of *attention to religion*, we have exceeded other nations, and it is by the favorable influence of this circumstance upon the character of the people, that I account for our success in acquiring the political and military ascendancy that we now enjoy throughout the world.” * All who are familiar with the Greek tragedies know how many illustrations might be drawn from thence. I content myself with a single specimen from Sophocles’ *Œdipus Tyrannus*. The Chorus sings thus ; — line 863, &c.

“ Grant me, henceforth, ye powers divine,
 In virtue’s purest paths to tread ;
 In every word, in every deed,
 May sanctity of manners ever shine,
 Obedient to the laws of Jove,
 The laws descended from above.”

Again,

“ Perish the impious and profane,
 Who, void of reverential fear,
 Nor justice nor the laws revere ;
 Who leave their God, for pleasure or for gain ;
 Who swell by fraud their ill-got store ;
 Who rob the wretched and the poor.”

But the most instructive passage to be found in all heathen antiquity, illustrative of the moral effect of a belief in “ a power above us,” is in Claudian, and must be familiar to every classical scholar.† Such is a specimen of the recorded convictions of heathen writers on this subject ; and it shows, among other things, how much superior, in its moral tendency, heathenism is to the atheism, or even to the skepticism of our days.

I scarcely know whether it may be advisable to add any thing to the preceding from Christian times and Christian authors ; but, at the risk of doing what is superfluous, I will subjoin some few confirmations of this kind. To collect, however, the sentiments of individuals would be an endless task, and, after all, might not be satisfactory. It may be more useful to resort for testi-

* Quoted by A. H. Everett, in the Senate of Massachusetts, 1831.

† In Rufinum, Lib. I. ; translated in the London Quarterly Review, No. LXXXV. p. 187.

mony to distinguished bodies or communities of men, and to this end, I will quote a few examples of the deliberate and well-considered sentiments of the American Revolutionary Congress.

On occasion of recommending a fast, this Congress declared, that "the great Governor of the world, by his supreme and universal Providence, not only conducts the course of nature with unerring wisdom and rectitude, but *frequently influences the minds of men to serve the wise and gracious purposes of his providential government*; that it is, at all times, our indispensable duty devoutly to acknowledge his superintending Providence, and to reverence and adore his immutable justice."* They say, (March 16th, 1776,) they are "desirous to have people of all ranks and degrees duly impressed with a solemn sense of God's superintending Providence, and of *their duty devoutly to rely, in all their lawful enterprises, on his aid and direction.*" They declare the end of setting apart the day to be, "that we may with united hearts confess and bewail our manifold sins and transgressions, and, by a sincere repentance and amendment of life, appease his righteous displeasure, and, through the merits and mediation of Jesus Christ, obtain his pardon and forgiveness." March 7th, 1778, they recommend a similar day, "that, at one time and with one voice, the inhabitants may acknowledge the righteous dispensations of Divine Providence, confess their iniquities and transgressions, and implore the mercy and forgiveness of God, and beseech him *that vice, profaneness, extortion, and every evil may be done away, and that we may be a reformed and happy people.*" Another proclamation of March 11th, 1780, recommends, "that we may, with one heart and one voice, implore the Sovereign Lord of heaven and earth to remember mercy in his judgments, *to make us sincerely penitent for our transgressions, to banish vice and irreligion from among us, and establish virtue and piety by his divine grace.*" March 20th, 1781, "That we may with united hearts confess and bewail our manifold sins and transgressions, and by sincere repentance and amendment of life, appease his righteous displeasure, and, through the merits of our blessed Saviour, obtain pardon and forgiveness ;

* Journals of Congress, 12th June, 1775.

that it may please him *to inspire our rulers with incorruptible integrity*, and to direct and prosper their councils ; that it may please him to bless all schools and seminaries of learning, and *to grant that truth, justice, and benevolence, and pure and undefiled religion may universally prevail.*”

Such is a small specimen of the sentiments of the illustrious fathers of the American revolution, on the moral tendency and effect of a belief in God and his superintending Providence. They do honor to their authors, and are the best illustration, by way of authority, of the practical moral efficacy of a belief in the God of heaven and earth, which could well be given. I may fear having done them injustice by quoting so small a part of their valuable sentiments, dispersed through the Congressional documents. They are worthy of the serious and careful perusal of every American citizen. *

Belief in God, then, and in his superintending Providence, is alike the foundation of morals and of religion. In God is concentrated all that is sublime, glorious, holy, and happy. A belief in him includes something more than a mere acknowledgment of his existence ; it includes a belief in him, as he has made himself known in his works, † and more especially in the revelation which he has made of himself, his nature, his attributes, and his will respecting mankind, in the Scriptures of the Old and New Testament. But the moral effect of a belief in God, and of the great truths embraced in such belief, will depend very much on *the strength and vividness of our conviction* and on the fulness and exactness of the instruction which we have received.

Unquestionably, the existence of God, of his Providence, and of the great truths of Divine revelation, may be acknowledged in general terms, without a corresponding moral effect being seen in the life and conversation. The heathen, whose case St. Paul describes, ‡ acknowledged God, (knew God,) still they glorified him not as God, neither were thankful ; but became vain in their imaginations and their foolish heart was darkened. So darkened,

* Larger portions of them are quoted, and all of them are referred to, in Note E. pp. 35 - 39, of a Sermon preached by the Author before the Convention of the Protestant Episcopal Church of the Diocese of South Carolina, 1833. 2d ed.

† Rom. i. 20.

‡ Rom. i. 19 - 32.

indeed, did their understandings become, by reason of their rejecting the knowledge of God, that although they professed themselves to be wise, they were guilty of the foolishness of changing the glory of the incorruptible God into an image made like to corruptible man, and to birds, and four-footed beasts, and creeping things; and moreover, of changing the truth of God into a lie, and worshipping and serving the creature more than the Creator, who is blessed for ever. It was for this, that God gave them up to unnatural lusts and every species of vile affections. Growing worse and worse, “as they did not like to retain God in their knowledge,” (v. 28,) “he gave them over to a reprobate mind,” and, after their hardness and impenitent hearts, to treasure up wrath to themselves against the day of wrath and the revelation of the righteous judgment of God.* To prevent a declension to the ways of vice and the depths of sin so fatal, and to keep up in men’s minds that *strong conviction and deep sense of God*, which is the root and branch of practical morals, and which the Scriptures call faith in him, we must rely on the conscientious performance of the duties which spring from the relation which we sustain to him; which duties are now to be examined and unfolded.

CHAPTER II.

THE GENERAL DUTY OF REVERENCING GOD.

WHEN submitted to a careful and exact analysis, reverence for the Deity comprises a deep sense of our own insignificance, — of his divine majesty, his incomprehensible nature, his eternal existence, knowing equally no beginning and no end; of his Almighty power, to which all things are equally easy, and in whose operations all *degrees of facility*, whether in the creation of a world or of an atom, are unknown; of our ignorance, and of his omniscience and divine wisdom, unsearchable and past finding

* Rom. ii. 5.

out ; a sense of our dependence, and of his absolute and perfect independence of time, place, circumstances, and events ; a sense of our sinfulness, and of his immaculate and essential holiness, in whose sight the very heavens are unclean.*

Reverence for God includes, moreover, reverence for his name, which is holy and reverend, † and not to be used in vain ; for his attributes, his revelation of himself, his worship, and his ordinances. It comprises again, a respectful regard for his ministers who serve at the altar, for the edifices consecrated to his service, and for whatever else pertains to the celebration of his worship. It is not necessary to say, that levity in regard to these subjects, or any of them, and still more all sneering and scoffing, are totally inconsistent with the smallest degree of reverence for God. They indicate a heart destitute of every vestige of religious feeling, an understanding steeled against all conviction of religious truth, and both a heart and an understanding equally inaccessible to any religious impression. In such a state of the feelings, the truth can take no hold on the consciences of men, and no fair and candid estimate can be made of the all-commanding claims, sanctions, and evidences of religion. In this condition, they are beyond the reach of human aid ; and there is, in truth, no aid for them, but in the awakening, enlightening, and sanctifying power and grace of that Holy Spirit, from whom “all holy desires, all good counsels, and all just works proceed.” The fate of despisers of the truth and ordinances of God is, to wonder and perish. Their perdition shall be amazing and wonderful to themselves and all around them. They are men reprobate concerning the faith and to every good work. ‡

What has been said of ridicule, sneering, and scoffing, applies substantially to all sarcasms, jestings, and even pleasantry, when exercised upon the Scriptures, or upon the places, persons, and forms set apart for the service of religion. They are alike inconsistent with a religious frame of mind ; for, as no one ever either feels himself disposed to pleasantry, or capable of being diverted with the pleasantry of others, upon matters in which he is deeply interested ; so a mind intent upon the acquisition of

* Job xv. 15. † Ps. cxi. 9. ‡ Acts xiii. 41 ; 2 Tim. iii. 8 ; Tit. i. 16.

heaven rejects, with indignation, every attempt to entertain it with jests, calculated to degrade or deride subjects which it never recollects but with seriousness and anxiety. Nothing but stupidity, or the most frivolous dissipation of thought, can make even the inconsiderate forget the supreme importance of every thing which relates to the expectation of a future existence. Whilst the infidel mocks at the superstitions of the vulgar, as he chooses to consider them, insults over their credulous fears, their childish errors, or fantastic rites, it does not occur to him to observe, that the most preposterous device, by which the weakest devotee ever believed he was securing the happiness of a future life, is more rational than unconcern about it. Upon this subject, nothing is so absurd as indifference ; no folly so absurd as thoughtlessness and levity. *

CHAPTER III.

THE DUTY OF WORSHIPPING GOD.

THERE is a distinction between reverencing and worshipping God. Both are external duties, and God is the immediate object of both ; the distinction between them is, that the one is negative, the other positive ; the one consists in abstaining from some impious act, the other in performing some act of piety. When, from a sense of duty to God, we rest on Sunday during a journey, we perform a duty of reverence ; when, from the same motive, we attend church on Sunday, we perform an act of worship. †

The special object of worshipping God, is, to keep up that reverence for him in the mind, which cannot be preserved without habitual attendance on some external service, by which a *habit* of devotion and reverence, and their consequent moral influences may be maintained. The formation, preservation, and strengthening of this habit of devotion and reverence for

* Paley's Moral and Political Philosophy, p. 270.

† Idem, p. 230.

God and divine things, together with instruction in the doctrines and duties of Christianity, are the aim and end of divine worship, and in them its public and private benefit consists.

This subject is an important one, and comprises, — the naturalness and reasonableness of divine worship, private and public ; — the subject matter of which, prayer, thanksgiving, and praise ought to consist ; — a review of the part of public worship designed specially for instruction, consisting of the reading of the Scriptures, preaching, and catechetical instruction ; — and an illustration of the benefits, public and private, of divine worship, when attended with diligence and with a suitable temper and spirit.

1. The naturalness and reasonableness of divine worship, private and public. A conviction of the existence and influence, as has before been said, of “a power above us,” which guides our destinies, to which we are responsible, to which we are bound equally by duty and interest to have regard, whose favor we may gain and whose displeasure we may propitiate, by some exertions which we may use and some sacrifices which we may make, seems, in all ages and among all nations, to have been irresistibly forced on the understandings of mankind.* Under the influence of this natural conviction, men have always raised their minds in prayer to some superior Being, or beings, as is attested by the literary remains of every nation under heaven. It is true that this natural sentiment has often been greatly *obscured* by ignorance, by neglect, and by great misuse and perversion of talents ; but no debasement of savage life, of false religion, or even of settled habits of sin, formed, cherished, and persevered in amidst the bright shining of the Gospel itself, has been able entirely to suppress and drive it from the human mind.

Accordingly, the literature of Greek and Roman antiquity, and the Hindoo and Chinese literature of the present day, are filled with prayers and thanksgivings to the various deities which they acknowledged. These are the more cultivated forms of heathenism, but its ruder forms all contain evidences of the same natural sentiment and feeling. This may be called natural piety ; and however obscured and perverted, it is still good proof of the natural conviction described by St. Paul, and of the natural sen-

* Romans i. 20.

timent and feeling evinced by mankind. Some of these prayers, the offspring of this natural piety, and of an unperverted conscience, are not without pure and sublime conceptions of the Deity, and just views of human wants suitable to be expressed in prayer. Dr. Lowth says of the Hymn of Cleanthes, the Stoic, inscribed to Jove, — “It is doubtless a most noble monument of ancient wisdom, and replete with truths not less solid than magnificent. For, the sentiments of the philosopher concerning the divine power, concerning the harmony of nature and the supreme laws, concerning the folly and unhappiness of wicked men, who are unceasingly subject to the pain and perturbation of a troubled spirit, and above all,” continues he, “the ardent supplication for the divine assistance, in order to enable him to celebrate the praises of the Omnipotent Deity in a suitable manner, and in a perpetual strain of praise and adoration; all of these breathe so true and unaffected a spirit of piety, that they seem in some measure to approach the excellence of the sacred poetry.”*

The Mahometan religion is partly derived from Judaism and Christianity, and is less absurd than any form of heathenism. The habit of public prayer among the Mahometans is well known. In such countries, the Mouzeens on the minarets † are accustomed,

“to proclaim the hour
For prayer appointed, and with sonorous voice,
Thrice in melodious modulation full,
To pronounce the highest name. ‘There is no God
But God,’ they cry; ‘there is no God but God!
Mahommed is the Prophet of the Lord!
Come ye to prayer! to prayer! The Lord is great!
There is no God but God!’”

It cannot be necessary to do more than merely *advert*, in this connexion, to the frequency and earnestness with which the *Jewish and Christian Scriptures* enjoin the same duty. Men of all climes, then, of all ages, and of all religions, have concurred in the propriety and the practice of lifting up the mind to God in prayer. This universality is the best of all proofs of the naturalness of Divine worship.

* Lectures on the Sacred Poetry of the Hebrews. Lect. XXIX. Gregory’s Translation.

† See Walsh’s National Gazette, Nov. 7th, 1835.

The reasonableness of Divine worship might be inferred from the mere fact of its being natural, as we have seen ; but it may be well to give it some further illustration. Prayer is expressive of our dependence upon God ; and, as all our privileges and enjoyments are the effects of his unmerited goodness, it becomes us to ask, if we would receive them. Man is created in God's own image ;* there must, then, be such a resemblance between *the image and the high Original*, as to justify us in reasoning analogically, provided we do it with sufficient caution, from the image to the Original. We all know how much men are influenced by a request made in a suitable temper and spirit. And, if this is reasonable in men, made after the image of God, is it not reasonable, that the Great Original should be influenced by prayer proffered before his throne in the spirit of dependence, and in acknowledgment that every good and perfect gift comes from him ?

It is reasonable, moreover, that we should not only offer up prayer and thanksgiving privately, but also in public. For God is to be regarded as the universal benefactor of mankind, from whom we all have received public blessings, and to whom, therefore, we owe public acknowledgments. Private prayer and thanksgiving are, by no means, adequate returns for public blessings.

Convinced, then, that prayer and thanksgiving are both natural and reasonable, and knowing that they are enjoined as an imperative Christian duty, we shall not be moved by the skeptical sophism, " If it be most agreeable to perfect wisdom and justice that we should receive what we desire, God, as perfectly wise and just, will give it to us without asking ; if it be not agreeable to these attributes of his nature, our entreaties cannot move him to give it us, and it were impious to expect that they should." More briefly thus ; " If what we request be fit for us, we shall have it without praying ; if it be not fit for us, we cannot obtain it by praying." †

This is the substance of all that can be said against prayer, — and it admits of an answer entirely satisfactory. It is very true,

* Gen. i. 27 ; Col. iii. 10. † Paley's Moral and Polit. Phil., p. 231.

that God will grant us what is fit ; but it is equally true, that it is not fit for him to throw away his favors upon those who will not pray for them with an humble sense of their dependence, and receive them with a grateful sense of his goodness. God is a perfect being, but it is no attribute of a perfect being to be inexorable. God grants our petitions, not merely because we pray, but because prayer, sincere and earnest prayer, though it does not make him more willing to bestow, *makes us more fit and more qualified to receive his favors*. The fitness of the thing depends upon the qualifications of the individual, and the qualification of the individual to receive, depends upon that holy, humble frame of mind, from which all sincere prayer proceeds. It is not said, that the Deity is changed by our prayers, but that *the relation in which we stand to the Deity is changed*, when, from living in sin and disregard of God, we come to adore him in sincerity and truth.

2. The subject matter of which prayer and thanksgiving ought to consist. Prayer and thanksgiving, whether written or extemporaneous, are, so far as the matter and style are concerned, governed by the same rules. They should contain just conceptions of the Deity and of his attributes. Unworthy conceptions of God destroy or impair the purity and dignity of public worship, in which all things should “be done decently and in order,”* and prevent it from having that moral influence which it is so well calculated to exercise. Men of every condition attend public worship, and erroneous or unworthy conceptions of the Deity thus become the error of multitudes.

Again, they should express only those wants, desires, and aspirations, which will probably be felt by the congregation. Ideas in which the congregation can feel no interest, should not be introduced. Those prayers are the most suitable, which are best fitted to keep alive the devotion of the assembly. Confession of sin, humiliation before God for its commission, petitions for forgiveness, acknowledgment of divine mercies, and aspirations after increased holiness, must enter into the prayers of “all orders and estates of men.” They should contain, also, as few

* 1 Cor. xiv. 40.

controverted sentiments as possible. Scriptural ideas, scriptural sentiments, subjects, and even expressions, or such as are closely analogous to them, should be principally, if not exclusively used. The style of prayer and thanksgiving should be calm, solemn, dignified, earnest, and pathetic. Every thing light, and especially all quaintness, affectation, smartness, and prettiness of expression, are inconsistent with every part of divine worship, and most of all with prayer and thanksgiving.*

Among the subjects of prayer, we are encouraged in Scripture to pray for national blessings, to intercede for others, to repeat unsuccessful prayer, &c. ; — but we are most particularly encouraged and enjoined to pray for the Holy Spirit, to the influences of whom “all holy desires, all good counsels, and all just works” are ascribed.† The fruit of the Spirit, for which we are taught to pray, is love, joy, peace, long-suffering, gentleness, goodness, faith, meekness, temperance, in all righteousness and truth.‡

It would be absurd to deny the operations of the Holy Spirit because we are not sensible of them, and do not know how God influences the soul.§ We ought rather to reason thus ; we know that we have been holden up by God ever since we were born ; yet we have not an intimate consciousness and feeling of that influence by which he sustains us, or any knowledge how he upholds our existence ; — in the same manner, we prove from Scripture, that he conveys his grace to us, but are strangers to the manner in which he dispenses it. We are as much dependent on the assistance of God for our spiritual life, as we are for our natural life ; and the manner in which this assistance is communicated is as much unknown in the one case as in the other. It is no objection to this doctrine, that the powers of nature and the influences of grace are so blended within us that we cannot easily distinguish them. For, no more can we, in all cases, distinguish our foreign acquirements from the fruits of our own genius. We can no more exactly determine, in every particular,

* Paley, *Moral and Political Philosophy*, pp. 210 – 214.

† Luke xi. 13 ; John xiv. 26 ; Acts vi. 3 ; Rom. v. 5.

‡ Gal. v. 22 ; Eph. v. 9.

§ John iii. 8.

what is natural to us, and what has been acquired by us, than we can what is the effect of our own endeavours, and what is the result of the influences of the Holy Spirit.

Those, who disbelieve the assistances of divine grace because they have not an inward sense of them, should consider, that an inward and distinct perception of the motions of the Holy Spirit would be inconsistent with that degree of freedom, which is necessary to a state of probation. If we could trace the inward workings of the Spirit, it would be too great a restraint upon us, and would overpower the will. Such a manifest evidence of the divine presence in us, as the sensible influence of the Holy Spirit, would be overbearing and irresistible, and would impair, if not destroy, the freedom of the will. We walk *by faith* and *not by sight*, — *by faith* grounded upon rational and substantial proofs, — *not by sight*, not by any sensible indications of the Spirit dwelling in us, and working distinctly in us. The proof of the indwelling of the Spirit consists in *the effects produced upon our hearts and lives*.

3. Of the part of divine service which consists in giving instruction by reading the Scriptures, preaching, and catechetical instruction, it does not seem necessary for a moral philosopher to notice any but preaching and catechetical instruction. The object of preaching is, to enlighten ignorance on the most important of all subjects, to rouse indifference, to awaken the careless, to encourage the desponding, and to edify and build up the pious in the holy faith and order of the Gospel. To effect all this, the preacher has peculiar advantages. He is invested with a commission from the King of kings ; and, by virtue of this commission, he proclaims truth of transcendent importance. The pastoral relation, too, by which the preacher is connected with his flock, is one of the most interesting which exists on earth. The preacher publishes truth, also, in the most effective of all ways, — by the living voice. He announces it, moreover, to an assembly withdrawn from the business, the amusements, and the perplexities of the world, and on a day set apart for this peculiar, this holy purpose. With a view to effect and impression, he may select any subject within the wide range of theology and morals. One of the strongest passions of mankind is love

of variety ; and the customs of the pulpit permit him to turn this passion to good account, by availing himself of the services of his brethren in exchange for his own. Cowper may be presumed to have had these advantages in mind when he said, —

“ The pulpit, in the sober use
Of its legitimate, peculiar powers,
Must stand acknowledged, while the world shall stand,
The most important and effectual guard,
Support, and ornament of virtue’s cause.” *

There are two points on which it merits an inquiry, whether the pulpit might not be made more effectual for its great purposes than it usually has been. It may well be doubted, whether the pulpit has not exerted its immense power too exclusively in the illustration and enforcement of doctrines, and to the neglect of morals.† While doctrinal sermons abound everywhere, — how small, comparatively, is the number of sermons in which Christian morals are very ably discussed and illustrated. This neglect to illustrate and enforce the moral duties of Christianity seems to have been increasing during the last century, and exists more in this country than in Great Britain. If the whole strength of the pulpit, “ in the exercise of its legitimate peculiar powers,” were directed against certain immoral maxims, habits, and usages, which extensively prevail, it is not to be doubted, that, within a few years, a much more healthful moral tone might

* The Task, Book II.

† On this topic, I am in danger of being misunderstood, and this I am anxious to prevent. The term “ moral preacher ” has unfortunately become a term of reproach, both in this country and in England. This reproachful use of the term undoubtedly arose from the delinquencies of a certain class of English preachers, whose sermons are described by Dr. Southey, as containing “ nothing to rouse a slumbering conscience, nothing to alarm the soul at a sense of its danger, no difficulties expounded to confirm the wavering, no mighty truths enforced to rejoice the faithful, — to look for theology here,” continues he, “ would be seeking pears from the elm ; — only a little smooth morality, such as Turk, Jew, or Infidel may listen to without offence, sparkling with metaphors and similes, and rounded off with a text of Scripture, a scrap of poetry, or, better than either, a quotation from Ossian.” (Espriella’s Letters, Vol. I. p. 210.) To prevent all misunderstanding of my meaning, I will illustrate it by examples. Dr. Beecher’s “ Six Sermons on Intemperance,” — Bishop Jeremy Taylor’s two Sermons on the “ Wedding Ring,” — and the great body of Dr. Barrow’s Sermons, are specimens of what I mean and recommend by moral preaching.

be infused into society. We see what might be done by the pulpit in restraining other vices, by what it has done in checking the evil of intemperate drinking.

Again, the instructions of the pulpit are too much of a desultory character. The preacher discusses one subject on the morning of Sunday, another in the afternoon, and still another on the morning of the coming Sunday. In this respect, the pulpit is unlike any other place of instruction. Every teacher and every learner of the sciences understands the importance of method and connexion in his instructions, and that he cannot expect success without them. Is not this want of systematic, connected instruction, too little regarded in the pulpit? The usual method of unconnected preaching, seems to have originated in the inability of the clergy to prepare a systematic, well-digested course of pulpit instruction. Many men are qualified to preach on subjects selected without regard to connexion, who would be inadequate to prepare a systematic, instructive course. But clerical education is so much advanced at the present day, that very many clergymen must be fully qualified to discuss, illustrate, and enforce the doctrines and morals of Christianity, with system and due connexion.

The truth is, that the usual style of preaching has considerable merits joined with very striking defects; so striking, indeed, that I am convinced, the pulpit is deprived of very much of its legitimate power by their existence. It merits the serious and mature consideration of those who have authority and influence in the church, whether there ought not to be at least a partial change. Might not the peculiar advantages of the customary and the systematic style be combined, by giving the mornings of Sundays to systematic preaching, and the afternoons to preaching on subjects selected with reference to the peculiar condition, wants, and circumstances of the congregation. By this change, should we not retain the excellences and remedy the defects of the present style of preaching?

It has been matter of regret with pious men generally, that catechetical instruction has fallen into such neglect in late times. In the primitive ages of the church, there was a well-known class of religious teachers named catechists, whose office it was,

to instruct children in the elements of the Christian religion. In primitive times, too, there were great numbers of catechumens who had come to years of discretion ; but, having been born of heathen parents, had not been baptized ;— these also were instructed by catechists, preparatory to baptism. At present, children are generally instructed in the catechism, when they receive any instruction, by their parents, and are at stated times examined, in the church after divine service, by the minister of the parish to which they belong. This union of parental and clerical instruction in the rudiments of Christianity, has many advantages to recommend it ; and, in many parishes, is so conducted, as, in a very good degree, to accomplish its object. Sunday school instruction, moreover, has, within the last half-century, taken the place, in a great measure, of the ancient system of catechetical instruction. Still, immense numbers of children continue to receive little or no religious education, and the general regret of pious men, above adverted to, still continues to be not without just grounds. The first principles of religion, must, still more than those of other subjects, in order to be taught effectively, be taught during early childhood and youth. Even with the best religious education of children, there is always too much reason to fear, that, as they advance in life, the cares of this world, and the deceitfulness of riches, and the lusts of other things entering in, may choke the instruction given, and render it unfruitful.*

4. The benefits, both private and public, which wait on public worship, are neither few nor small. Prayer has a manifest tendency to nourish in us those very graces and virtues for which we pray. We shall earnestly desire that for which we habitually and earnestly pray ; and what we earnestly desire, we shall endeavour to attain. Warm desires naturally ripen into corresponding conduct, made manifest in the life and conversation.

Again, by prostrating ourselves in prayer before Him who is clothed with majesty and honor, the pride, arrogance, and self-sufficiency of prosperity are checked, and the discouragement, depression, and despair of adversity are softened and relieved.

* Mark iv. 19.

Its influence, too, in aiding us to curb our passions, which are always too impatient of restraint, is very great. A habit of prayer accustoms us to a sense of the Divine presence, and secures us all its accompanying moral influences. It cherishes in us universal benevolence, an enlarged humanity, and a tender and sympathizing temper. Those pure and exalted sentiments and feelings, to which we accustom ourselves in the hours of devotion, will open and enlarge the understanding with the most sincere and impartial good-will, will free us from all rancor to our enemies, from too exclusive an attachment to our friends, and from indifference to the rest of mankind. Prayers for all mankind, offered up daily to Him who is the universal parent of mankind, are benevolence, as well as devotion, put in practice every day.

But the special benefits of public worship may be stated more particularly. 1. It does not seem possible to maintain, in a community, any practical knowledge of God, and the practical ascendancy of Christian principles, without a stated public service. This seems so obvious as scarcely to require either argument or illustration. Even where public religious service is constantly maintained, and the Gospel is preached in its purity and power, many live in disregard of God and the obligations of religion, and scoff at all divine things. Much more would this be the case, if religion sought the shades, and entirely immured itself, like a recluse, in the closet. In such a state of things, open infidelity and impiety would sweep over the land, like the pestilence which destroyeth at noonday. It is not more certain that night succeeds to day, than that the want of stated public divine service, or the general neglect and contempt of such service, must end in general irreverence of the Deity, and that to this irreverence of the Deity must succeed universal dissoluteness of morals, and all the overflowings of ungodliness.

“Religion is the presiding and genial influence over every system of morals.”* Every man capable of reflection must be convinced, that, if public worship were once discontinued, a universal forgetfulness would ensue of that God, whom to remember is the highest security and the most effectual preservative against

* Mr. Clay's Speech in the U. S. Senate, 26th December, 1833.

vice ; and that the bulk of mankind would soon degenerate into mere savages and barbarians, if there were not stated days to call them off from the common business of life, to attend to the all-important business of securing their salvation. As well may we expect law and order to maintain their influence in the land, without tribunals to declare, and a magistracy to execute the law, as to expect that religion will flourish or even exist, without a stated public celebration of its services and ordinances.

2. Again ; the moral and religious instruction gained by an habitual attendance on public worship, is beyond measure valuable, especially to those who have small opportunities of gaining instruction elsewhere. To this more than to any other cause it is owing, that, in Christian countries, some degree of intelligence is diffused among all orders of men. No man born in a Christian country needs to live and die without adequate instruction in whatever pertains to virtue and godliness.

3. Moreover, the habitual assembling of men of every variety of rank, fortune, and education, in the same edifice, to join in a common religious service, has a sensible tendency to unite mankind in the bonds of a common fellowship, to cherish and enlarge the generous affections, and, by contemplating their common relation to the Governor of all things, to remind them of the natural equality of the human species, and thereby to promote humility and condescension in the more wealthy, the more learned, and the more honorable ; and to inspire the humbler ranks with a sense of their rights and with some degree of self-respect. Office, birth, knowledge, wealth, and other distinctions known and acknowledged among men, are recognised by Scripture ; and corresponding duties are enjoined on those who enjoy these advantages and honors. We are to render their dues to all ; tribute to whom tribute is due ; custom to whom custom ; fear to whom fear ; honor to whom honor.*

These distinctions, too, are sanctioned by Divine Providence as a part of the system of human affairs ; no community has existed without them, they seem inevitable ; and, if accompanied by a proper spirit, are conducive to the welfare of

* Rom. xiii. 7 ; Matt. xxii. 21.

mankind. But they are usually carried too far, and valued too much, by those who enjoy them ; and the spirit, which they tend to nourish, estranges and alienates brethren of the same great family from each other, by causing discontent, distrust, jealousy, and envy. It is well, indeed, if they do not rouse the fiercer passions of hatred, malice, and revenge. The magistrate feels that he represents the state, and infers from thence, that the official dignity, with which his person is clothed, must not be defiled by too much intercourse with the common people. Pride of birth must not be soiled by the touch of any thing homebred and ignoble. Learning cannot condescend to hold communion with ignorance, and wealth looks down with insolence upon the poor, the unfortunate, and the depressed. They move in distinct and exclusive circles, studiously assorted on the ground of these distinctions, and their almost inevitable effect is, to impair, if not to destroy the good feeling which ought to unite all mankind by the bonds of a mutual sympathy and interest. If, at any time, the poor man is seen at the tribunal of the magistrate, it is probably because he is dragged there to answer to the suit or prosecution of some rich and fortunate oppressor. If he visits the palaces of aristocratic pride, it is not to partake of their enjoyments, — these are reserved for guests made of like clay with their proprietors.

“*Materiâ nostrâ constare, paribusque elementis.*”*

If he enters the mansions of the rich and the halls of the learned, he still finds that he is not permitted to participate in the treasures which they contain.

4. The church is the only place, in which the various classes of mankind *meet each other on any thing like equal terms*. In the house of God, the exclusive spirit, nourished by the artificial distinctions of human pride and power, stands rebuked before the immeasurable distance, by which the highest of mortals is separated from the throne of the Almighty. Men are addressed there, not according to the wealth they have acquired, or the other distinctions by which they are known, but as alike the sinful children of a common parent, having similar

* Juvenal, Sat. XIV. 17.

wants and desires, and alike standing in need of the great salvation. Men are there reminded, most impressively, of the brief continuance and comparative insignificance of the distinctions, which they so earnestly covet, and so inordinately prize. The solemn lesson is there forced upon their minds, that, whatever accidental distinctions they may win, they have all commenced life, and must all finish it, on the same terms. It is emphatically there, that, as the wisest of men says, “the rich and the poor meet together, the Lord is the Maker of them all.”*

By thus habitually joining in the stated solemnities of a common religious service, the pride of purse, of knowledge, of station, of ancestry, and of personal accomplishments, is laid in the dust of humiliation before God ; the estrangement and alienation in which the different classes of mankind are accustomed to live, are diminished ; they come to look upon each other with more kindly feelings ; and the decaying sympathies of a common origin and a common destiny, and the same ultimate hopes and prospects beyond the grave, are revived, strengthened, and saved from extinction. It does not come within the author’s province, to advert to the peculiar *spiritual* blessings, which flow from an attendance on public worship, as his aim is to treat of moral philosophy distinct from theology. To this last science, the part of Divine worship, which consists in the administration of the sacraments, seems exclusively to belong.

CHAPTER IV.

THE OBSERVANCE OF SUNDAY.

THE important moral influences of the private and public worship of God, make the observance of Sunday a matter of great moment in the view of the moral philosopher. In treating this part of the subject, I shall, 1. Review the early history of the Jewish Sabbath, 2. Inquire whether the institution known

* Proverbs xxii. 2.

originally by the name of the Sabbath, and in later times, by the name of Sunday, was designed, save the mere change of the day, to be the same, and to be of perpetual obligation. 3. Inquire what are the duties which constitute a suitable observance of Sunday.

1. It is not difficult to trace the history of the Jewish Sabbath, as most of it is contained in the Old and New Testaments. The sacred historian, after recounting the several acts of creation on six successive days, proceeds,—“ Thus the heavens and the earth were finished, and all the host of them. And, on the seventh day, God ended his work which he had made ; and he rested on the seventh day from all his work which he had made. And God blessed the seventh day and sanctified it.”* Blessing and sanctification, as applied to a day, can have no other meaning, than that the day was to be made instrumental in conferring blessings, and was to be appropriated to sacred purposes ; and the rest, ascribed to the Almighty, can intend no more than that he then *completed* the work of creation.

No sooner was this glorious work accomplished, a work which Infinite Wisdom pronounced very good, than the Almighty Author decreed that the seventh day, the first that had witnessed the fair and *perfect* creation, should be consecrated to his service, and become a peculiar source of blessings. The Sabbath was set apart at the creation ; “ it was, therefore, made for man,” † that is, for mankind universally, and not for the Hebrews only.

The patriarchs led the Nomadic life, and the patriarchal history is very brief ;—still, it is not without traces that they were mindful to keep the Sabbath day holy. ‡ The passages referred to, show, that the week was, with them, a well-known and familiar way of computing time. Again, it is said, § that Abraham obeyed the voice of the Lord, and kept his charge, his commandments, his statutes, and his laws. It is not easy to believe that these did not include the observance of the Sabbath. The universality of the week, can only be accounted for, from the Sabbath having been set apart at the creation, and observed by the

* Gen. ii. 1 – 3.

† Mark ii. 27.

‡ Gen. viii. 10, 12 ; xxix. 27 – 28.

§ Gen. xxvi. 5.

patriarchs, from whom all the nations of the earth are descended. "We find from time immemorial," says the learned Goguet, "the use of this period among all nations, and without any variation in the form of it. The Israelites, Assyrians, Egyptians, Indians, Arabians, and in a word, all the nations of the east, have, in all ages, made use of a week of seven days." * Another author of equal distinction says, "The period of seven days, by far the most permanent division of time, and the most ancient monument of astronomical knowledge, was used by the Brahmins in India with the same denominations employed by us, and was alike found in the calendars of the Jews, Egyptians, Arabs, and Assyrians; it has survived the fall of empires, and has existed among all successive generations, a proof of their common origin." †

During the long residence of the Hebrews in Egypt, in a state of rigorous servitude, it may well be supposed that the Sabbath was not much observed, and well-nigh forgotten. Still, after their deliverance from Egypt, the Sabbath was observed by them, before their arrival at Mount Sinai, and Moses evidently refers to it as an institution rather *neglected by them, than unknown to them.* ‡ In the Fourth Commandment, the term Sabbath is used without explanation as one well known. Moreover, when it is said, at the end of this commandment, that the Lord blessed the *seventh* day and hallowed it, the reference seems most manifestly to be to the original setting apart of the same day at the end of the creation. My purpose does not require me to trace the history of the Jewish Sabbath any further.

2. Was the institution, known originally by the name of the Sabbath, and in later times by the name of Sunday, designed, save the mere change of the day, to be the same, and to be of perpetual obligation? A brief discussion and comparison will set this part of the subject in a very clear light. A distinction, which the sacred writers have been at pains to mark and insist on, is drawn between the great body of the Mosaic law and the

* Origin of Laws, Vol. I. Book 3, Chap. 2.

† Mrs. Somerville, Mechanism of the Heavens, Prel. Dis. p. 85. — See also Dr. Dwight on the Fourth Commandment, in his Theology, and Mr. Jay's "Prize Essay," pp. 10 - 13.

‡ Exodus xvi.

ten commandments ; of which the injunction to keep the Sabbath-day holy, is one. This distinction is seen in the *origin* of the ten commandments, and in the manner in which they are recognised in the New Testament, as well as in their intrinsic value. The greater part of the Mosaic law consists of ceremonial observances, transitory in their nature, and manifestly designed to pass away ; the ten commandments make a part of fixed and unchangeable truth, destined to survive to the end of time, and to perish only when all things else shall perish. It is in vain to attempt to separate, as has sometimes been done,* the commandment respecting the Sabbath from the other nine, promulgated, as it was, under like circumstances with them, and recognised by the same authority.

The origin of the commandments is worthy of their importance, in the code of eternal truth. The circumstances were of the most imposing kind. The Hebrews, just rescued by the arm of Omnipotence from an oppressive servitude, were encamped at the foot of Mount Sinai ; they had been led by a pillar of cloud by day and a pillar of fire by night, and their subsistence in the midst of a dreary desert had been miraculous. Three days' notice was given by Moses, that "the Lord would come down in the sight of all the people upon Mount Sinai" ; and in the mean time, they were required specially to sanctify themselves. On the morning of the third day, there was a thick cloud upon the mountain, with thunders and lightnings ; and the Lord descended upon Mount Sinai in fire, and the smoke thereof ascended as the smoke of a furnace, and the whole mount quaked greatly. The majestic scene was heightened, too, by the declaration, that, if either man or beast presumed to touch the mount, thus sanctified by the presence of the Almighty, he should surely be put to death. Then, amid thunders and lightnings and smoke, the ten commandments were proclaimed by the voice of the Almighty.

The material, moreover, on which the ten commandments were written, the immediate author (God himself) of the writing, and the means used to preserve them, were worthy of the sacred

* Paley's Moral and Political Philosophy, p. 262.

and sublime scene in which they originated, and serve further to distinguish them from the *ordinary laws* of the Mosaic code, which were communicated without any remarkable circumstances attending them. Moses ascended the mountain, and the ten commandments were delivered to him, written upon two tables of stone, by the finger of the Almighty. When these tables had been broken, the writing was renewed upon new tables by the same Almighty hand. For their preservation, an ark was made by divine direction, of immense value,* covered inside and outside with gold. The lid, denominated the mercy-seat, was of gold, upon which were placed two golden cherubims, overshadowing it with their wings. By divine command, an apartment, lined with gold, was set apart in the tabernacle to receive the ark, and was named the Holy of Holies. A similar apartment was appropriated to the same purpose in the temple, and of unexampled magnificence. Five hundred years after the ark was made, it was removed into the temple, and it then contained, as we are informed, nothing but the two original tables of stone; and these tables probably remained four hundred years more, when the temple was destroyed. †

Besides these circumstances, so manifestly distinguishing the ten commandments from the body of the Mosaic laws, others still may be noticed. Most of the Jewish laws were suited exclusively to the people to whom they were given, and are wholly unsuited to other nations and countries; but every one of the ten commandments may be observed by every nation upon the face of the earth. Most of the precepts of the Mosaic code, too, are of a *ceremonial*, and not of a *moral* kind, — they do not pertain at all to morals; but the commands of the Decalogue are directly conducive to the peace, purity, and happiness of all who respect them; and a general obedience to several of them is indispensable to the very existence of civil society. The tendency and effect, also, of the Mosaic law, was to keep the Hebrews distinct from all other nations, and these ten commandments were of course binding on them as a part of their law; yet not one of

* Prideaux says, at the expense of £4,320,000 sterling.

† Exodus xix. 31, 32, 34.

them belonged to that system of positive precepts, which were designed to draw a line between them and the rest of mankind, nor to that system of types and shadows, which anticipated the coming of the Messiah.

Moreover, into the chamber which contained the ark made to preserve the two tables of stone, no one but the high priest was permitted to enter, and he only once a year, for the purpose of sprinkling blood upon the mercy-seat. On the supposition, that the ten commandments were only an ordinary part of the Mosaic law, it is not easy to understand the significance of this rite, since sacrifices were offered morning and evening for the sins of the Jewish people. But when we consider the ten commandments as constituting the moral law of Jehovah, binding upon all the descendants of Adam during all time, and broken by them all, we at once perceive, in the blood sprinkled upon the mercy-seat, an emphatic type of that blood, which was afterwards shed for the sins of the whole world. When, therefore, we consider that the commandments, after having been proclaimed by the voice of God himself, under circumstances of unparalleled awe and grandeur, were twice engraven by his finger upon tables of stone, — that these tables were, by divine command, placed in a costly ark, and that deposited in a magnificent chamber constructed for the express purpose of receiving it, — that these tables were perpetually overshadowed by a miraculous emblem of the divine presence, — that the commandments are suited equally to all ages, nations, and conditions, and are preëminently conducive to the universal welfare of mankind ; — the conclusion cannot well be resisted, that they are all, (of which the command respecting the Sabbath is one,) of perpetual obligation, and that “*the Sabbath was thus made for MAN*” UNIVERSALLY.* Let us see, if they are not, in like manner, recognised as of perpetual obligation in the New Testament.

In his sermon on the Mount, our Saviour used this decisive language ; — “ Think not that I am come to destroy the law or the prophets ; I am not come to destroy, but to fulfil. For, verily I say unto you, till heaven and earth pass, one jot or one

* Mark ii. 27.

tittle shall in no wise pass from the law, till all be fulfilled. Whosoever, therefore, shall break one of these least *commandments*, and shall teach men so, he shall be called the least in the kingdom of heaven ; but whosoever shall do and teach them, shall be called great in the kingdom of heaven.” * Now it can scarcely admit of doubt, that the law here referred to, which was to stand fast for ever, is *the law of the ten commandments* ; and, if so, the perpetual obligation of the Sabbath is fully established. It is incredible, that the strong language of our Saviour was intended to refer to the *ceremonial* law, called by St. Paul “ the yoke of bondage,” and in regard to the *passing away of which*, he exhorts Christians to “ stand fast in the liberty wherewith Christ hath made them free.” † Besides, as if to show, that the law and commandments of which he was speaking, were distinct from the ceremonial law, he proceeded to assure his audience, that, unless their righteousness exceeded that of the Scribes and Pharisees, who were extremely exact in their observance of the Jewish ritual, (the ceremonial law,) they should in no case enter into the kingdom of heaven ; and it merits notice, that, throughout the whole sermon, our Saviour dwells on the importance of the moral virtues, and comments upon several precepts of the Decalogue, but in no instance touches upon the obligation of the ceremonial law.

If we understand him, therefore, as referring to the *moral* law, every difficulty and apparent contradiction immediately vanishes. Far from abolishing this law, he fulfilled it by his own perfect obedience ; and his assertions respecting its continued obligation are in entire consistency with the doctrines of his own inspired apostles. The law, therefore, which was to be perpetual, and of which not one of the least commandments might be violated by any man with impunity, was no other than the Decalogue, — that law which was uttered by the voice, and written by the finger of God, over which the symbol of the divine presence had rested for ages in the Holy of Holies.

If this argument is supposed to need confirmation, it may be found by consulting those passages of the New Testament, in

* Matt. v. 18, 19. † Gal. v. 1.

which the ten commandments are referred to as being still in force.* In all these various recognitions of the continued obligation of the ten commandments under the Christian dispensation, no intimation is given that the fourth, pertaining to the Sabbath, is less binding than either of the other nine. Finally, Christ himself vindicated the Sabbath from the traditional superstition of the Pharisees, explained its nature, and showed, that, as it was designed for the benefit of mankind, it did not prohibit works of necessity and mercy.† The divine origin and perpetual obligation of the Sabbath, then, do not seem to admit of further question. And this conclusion, moreover, gives us to understand *why* no positive command to keep the Sabbath holy, is found in the New Testament. Such a command would have been superfluous.‡

The institution of the Sabbath consists of two parts ; — the rest which it enjoins on one day out of every seven, — and the particular day of the seven which shall be appropriated to this sacred rest. The former is the essential part of the institution ; the latter, if not incidental, is manifestly less important, certainly not essential. The former has never been changed ; the latter, from commemorating *the finishing of the creation*, has been changed to the day commemorative of the *resurrection of the Saviour*, the closing scene in the work of man's redemption, and the pledge and earnest of our own resurrection.§

The Sabbath was made for man universally ; — Christ declared himself to be “ Lord of the Sabbath ” ; that is, he claimed authority over the day. A change in the day is no more than *a change in the order of the successive days* ; — the original day of the Sabbath was commemorative of the finishing of creation ; the Christian Sabbath (Sunday)|| is commemorative of a still

* Mark x. 19 ; Luke xviii. 20 ; Rom. xiii. 9 ; Eph. vi. 2 ; James ii. 10, 11.

† See Mark ii. 23–28 ; Luke xiii. 15 ; xiv. 5.

‡ The argumentative part of this chapter is very much indebted to a Prize Essay, written by William Jay, Esq., and printed at Albany, in 1827.

§ 1 Cor. xv. 12–17.

|| The day specially devoted throughout Christendom to rest, devotion, and moral and religious improvement, is known by several names among Christians, — as the Lord's day (*dies Dominica*), the first day of the week, the Sabbath, the Christian Sabbath, and Sunday. I have determined to make use of the last of these names, in this treatise, to designate the day, for the following reasons.

greater event, the consummation of the work of man's redemption. The change in the day could not, from the nature of the case, be made, until *the event had occurred* which it was to commemorate. We may well conclude, moreover, that our

1. The term *Sunday* is more generally used by Christians to designate the day than any other, and uniformity in this respect is a matter of considerable convenience, and therefore importance. It is used by the Roman Catholic Church, by the established Church of England, by the Protestant Episcopal Church in the United States, and by the Lutheran Church in the United States and in Germany. A most respectable Methodist clergyman informs me, that this term is most generally used by the numerous denomination to which he belongs. The use of the other terms prevails somewhat extensively among Christians of other denominations among us. And yet, from the phrase "American *Sunday* School Union" in this country, which is chiefly under the direction of Presbyterians and Congregationalists, but is intended to unite all denominations in advancing its objects, and from other facts and circumstances known to me, I am disposed to conclude, that *Sunday* is more generally used, even by *these* numerous denominations, than either of the other terms above mentioned. It is believed, that more than three fourths of the entire population of the United States habitually use the term *Sunday*.

2. In examining the several terms from which a choice is to be made to designate the Christian day of sacred rest, no term seems, on the whole, to be so appropriate as *Sunday*. St. John calls it "the Lord's day" (Revelation, i. 10), and this term is therefore very suitable and proper; but it is not at present, if it ever has been, much used. The phrase, "the first day of the week," is objectionable, by reason of its inconvenient length. This reason applies, too, in some degree, to the use of the phrase, "the Lord's day." The term *Sabbath* properly belongs to Judaism, and the tendency of using it is, to convey an erroneous impression, and to confound Christianity too much with Judaism. Bishop White says, "In the primitive church, the term 'Sabbatizing' carried with it the reproach of a leaning to the abrogated observance of the law." (Lectures on the Catechism, p. 65.) The phrase, "Christian Sabbath," applied by analogy to the day, has no advantage over the term *Sunday*, and is less convenient from its length.

3. It can be no just objection to the term *Sunday*, that it is of *heathen* origin, as long, at least, as we continue to instruct our children in the classical (heathen) writers of antiquity. "The early Christians," says Bishop White again, "conformed to the custom of their heathen neighbours, in the calling of the days and the months." (Ibid.) In truth, it began to be used very early by the primitive Christians. Justin Martyr, who lived at the close of the first and the beginning of the second century, says, "On the day called *Sunday*, is an assembly of all who live in the city or country, and the memoirs of the apostles and the writings of the prophets are read. (Sermons on the Lord's Day, by Daniel Wilson. London, 1831. p. 110.)

The term *Sunday*, then, has the considerable advantage of uniformity; it conveys no erroneous impression; it is easily pronounced; no just objection can be urged against its use; and it has the sanction of primitive Christian antiquity.

Lord, *during the interval between his resurrection and ascension*, instructed his apostles to make this change, and he certainly sanctioned it by meeting with his disciples *on two successive Sundays*, and absenting himself during the intervening week ; and again in the visible descent of the Holy Spirit on the same sacred day.

3. The duties which constitute a suitable observance of Sunday. Before proceeding to the particulars of which this branch of the subject consists, it may be well to observe, that from the fact of the institution being derived through Judaism, and made, by its perpetual obligation, a part of Christianity, it does not result, that the *penalties* attached by the Hebrews to the violation of it are continued along with it. *The penalties* inflicted by the Mosaic law are not *a part of the institution* ; they were only *the means of enforcing its observance* ordained by Moses, and are a part of the local policy which was discontinued at the advent of the Messiah.*

It is observable, too, that no *penalty* is attached (in the Decalogue) to the violation of *any one* of the ten commandments ; they are universally binding on the consciences of nations and individuals, but each nation is left to compel their observance by such penalties as it may deem fit, or by none at all. We of the present day, are no more required to punish a violation of Sunday by death, as did the Hebrews, than we are, like them, to punish imprecations on parents with the same penalty.† Respect for parents and the observance of Sunday are alike binding on the consciences of all men ; but our tribunals of justice do not punish disobedience to parents, and our municipal laws enforcing the observance (in twenty-three of our States) of Sunday have fallen into very general neglect. If any *specific penal sanctions* had been made *a part of the ten commandments*, they must have been unfitted, by that circumstance, to be *the supreme moral law*, claiming the obedience of all men through all time ; because such penalties, though they might have been very suitable to the circumstances of one nation, might also have been very unsuitable to those of another. Neither are all the duties of the

* Exod. xxxi. 14, 15.

† Lev. xx. 9 ; Deut. xxvii. 16.

Hebrew Sabbath transferred to the *Christian Sunday*.* With these few explanatory remarks I proceed.

(1.) The first and most obvious duty appropriate to Sunday is a cessation from labor. This is a part of the fourth commandment, is of perpetual obligation, and has no connexion with the local and temporary Hebrew policy. The Sunday is a great and precious privilege. By this institution, those who labor with their hands are rescued from the severities and hardships of unremitting toil;—and those whose labor is chiefly of the understanding find in it a season of refreshment and renovation of strength and energy, of which they stand in equal need with those whose labor is performed by the hands.

Works of necessity and mercy, however, and the labor of attending and performing divine service, are recognised by the Saviour himself as suitable to the Jewish Sabbath, † and they are equally so to the Christian Sunday. The relief of Sunday to the laboring classes of mankind contributes greatly to the comfort and happiness of their lives, both as it refreshes them for the time, and as it lightens their six days' labor, by the prospect of a day of rest always before them. This could not be said of casual indulgences of leisure and rest, even if they occurred more frequently than Sunday. It is matter of experience, also, that days of relaxation which occur seldom and unexpectedly, being unprovided when they do come, with any duty or employment, and the manner of spending them being regulated by no public standard of propriety and established usage, they are usually consumed in sloth, or in rude, perhaps criminal diversions, or, still worse, in scenes of riot and intemperance. The Sunday is a day of rest and refreshment to the body and to the mind, but not a day of sloth and indulgence. The remark, moreover, must not be omitted, that it gives a day of rest and refreshment to the laboring animals, as well as to laboring man. Thus "the Lord is good to all, and his tender mercies are over all the works of his hands." ‡

(2.) But the Sunday includes much more than cessation from

* Levit. xxiii. 8, 42, &c.

† Mark ii. 23–28; Mat. xii. 1–14.

‡ Paley's Moral and Political Philosophy, p. 253.

labor, and rest, and refreshment of the body and mind. We are required to keep it holy, that is, to set it apart from a common to a special and sacred use. This requires the appropriation of it to an attendance on public worship, and includes the more general duty, of employing it in every suitable way, for the purpose of moral and religious improvement. Religious assemblies under the name of "holy convocations,"* were accustomed to be held on the Hebrew Sabbath; and we have full evidence, that a compliance with the same custom was considered *a personal and universal duty* on the Christian Sunday from the beginning. † Besides attendance on public worship, reading, meditation, private prayer, the instruction of children and servants, are the appropriate and important duties of Sunday. The latter class of persons, especially, must be instructed on this day, or they will, too probably, receive no instruction at all.

(3.) The appropriation of a part of the Sunday to the elementary moral and religious instruction of children, especially poor children, and of adults who stand in need of such instruction, and are willing to receive it, may justly be regarded as one of the greatest moral improvements of modern times. In Sunday schools, — those humble seminaries of charitable education, — many hundreds of thousands of children are nurtured in the ways of righteousness, not a few of whom would otherwise have been brought up in neglect, irreligion, and probably crime. These nurseries of education, morals, and piety are founded on the principle recommended by Solomon and sanctioned by all experience, — of training up the child in the way he should go, that, when he is old, he may not depart from it. The experience of all times demonstrates, that the character of the man is built on the principles instilled into the mind of the child. In furtherance of the original plan, too, the conductors of Sunday schools, in this country, have very extensively instituted libraries of choice books for the instruction of the young under their charge; and they meditate no less an enterprise, than the elementary moral and religious education of the entire youthful population of the

* Exod. xii. 16; Levit. xxiii. 7, &c.

† Heb. x. 25; John xx. 19, 26; Acts xx. 6, 7; 1 Cor. xvi. 1, 2; Rev. i. 10.

United States, and the furnishing them universally, by libraries, with facilities for reading, both on Sundays and other days, of the most useful and attractive kind. The philanthropic mind is filled with admiration when contemplating an enterprise so beneficial and comprehensive. Besides, the good effect of Sunday school instruction extends not only to the scholars actually taught, but to the teachers, the parents, and even the ministers and congregations in which they are organized and properly sustained. In this way, by thus vastly augmenting the usefulness of the day, a new and before unknown value has been given to the institution of Sunday itself.

PART SECOND.

OUR RELATION TO OUR COUNTRY, AND THE MORAL DUTIES THENCE ARISING; THAT IS, THE DUTIES OF PATRIOTISM.

It has sometimes been said, that “a Christian is of no country,” that he ought to esteem all countries alike, and to have no attachment to one country more than to another;* but this sentiment will not bear examination when submitted to the test of Scripture, any more than when brought to the bar of reason. The Hebrew Scriptures abound with the most enthusiastic and even *exclusive* sentiments of attachment, on the part of the authors, for their native land. † In the New Testament, this enthusiasm and exclusiveness of attachment to country are not seen; still the sentiment and the duty of patriotism are fully recognised. Our Saviour instructed his disciples to render unto Cæsar all things which Cæsar might rightfully claim; ‡ that is, he instructed them to comply with all the lawful ordinances of civil government. While predicting the destruction of Jerusalem for its sins, he still accompanied his prediction with the most pathetic lamentations. § The benefits of his personal ministry, too, were confined to his own countrymen, || and those, who were commissioned to preach his Gospel, were enjoined to make it known *first* to the Jews and then to the Gentiles. ¶ St. Paul was especially commissioned to preach the Gospel to the Gentiles; still he recognises his obligation to make it known *first* of all to his countrymen.** We are instructed “to make supplications, prayers, intercessions, and thanksgivings for kings, and all that are in authority, that we may lead a quiet and peaceable life in all

* Soame Jenyns' *Internal Evidences of Christianity*, prop. 3.

† Psalm cxxxvii. 5-7.

‡ Mark xii. 13-17.

§ Mat. xxiii. 37.

|| Mat. xv. 24.

¶ Mat. x. 5, 6.

** Rom. i. 13-16.

godliness and honesty.”* This implies a cheerful and cordial submission to the government under which we live, as distinct from that of any other country. The truth is, Christianity adapts itself to human institutions and to the relations of human life as it finds them, and seeks to meliorate and improve all of them. †

Christianity has made obedience to civil government imperatively binding on the conscience, and there is no duty in regard to which it speaks in more decisive terms. “Submit yourselves to every ordinance of man for the Lord’s sake ; whether it be to the king, as supreme ; or unto governors, as unto them that are sent by him for the punishment of evil-doers, and for the praise of them that do well. For so is the will of God, that with well-doing ye may put to silence the ignorance of foolish men ; as free and not using your liberty for a cloak of maliciousness, but as the servants of God.” ‡ In Romans xiii. 1–7, St. Paul enjoins obedience in terms yet more imperative. Still, authoritatively as these passages speak, they do not inculcate the *unlimited obedience*, much less the *servile spirit*, which has sometimes been ascribed to them. § They make civil obedience a branch of Christian duty, instead of a mere submission to superior force. The doctrine contained in them is applicable both to individuals and to associations of individuals, combined to accomplish any particular object. Every individual owes prompt and cheerful obedience to the lawful authority of his country. But he owes no obedience to civil government, in any instance in which the consequence must be a violation of his duty to God. Nor does he owe compliance in any instance or degree, in which authority has not been given to the magistrate, by the State, to require it. These limitations require no illustration.

But there is a great difference between an individual refusing to comply with an ordinance of government, and an association of individuals united to overthrow the existing government of a

* 1 Tim. ii. 1, 2.

† See Gisborne’s Inquiry, Vol. I. p. 109–124.

‡ 1 Pet. ii. 13–16.

§ See “The American Review,” for 1811, Vol. I. p. 336.

country by a revolution, and to establish another. It is in consequence of the overwhelming evils of anarchy and revolution, that the duty of civil obedience has been prescribed in so strong language. Still no attempt is made to fix limits to an obedience, to which, from the nature of the case, no well marked limits can be assigned. All Christian duties are treated alike, in this respect, in the New Testament. Thus the duty of husbands and wives, of parents and children, of masters and servants, are all prescribed, but no attempt is made to assign the exact limits of these duties.

The right of revolution, or making forcible resistance to civil government, cannot be ascertained by any precise boundaries ;— it commences at the point where civil obedience ceases to be a virtue. What this point is, those who undertake a revolution must of necessity judge for themselves, upon a view of all the circumstances and under the weight of the most solemn responsibility to God, their country, and mankind. In undertaking to make forcible resistance to government, “the end should be seen from the beginning ;” and to bear present evils while they are tolerable, is preferable to rushing into a revolution, where the evils are certain and very great, and the good in prospect must always be, in a considerable degree, problematical.

“The speculative line of demarcation, where obedience ought to end, and resistance must begin, is,” says Mr. Burke, “faint, obscure, and not easily definable. It is not a single act, or a single event, which determines it. Governments must be abused and deranged, indeed, before it can be thought of ; and the prospect of the future must be as bad as the experience of the past. When things are in that lamentable condition, the nature of the disease is to indicate the remedy, to those whom nature has qualified to administer, in extremities, this critical, ambiguous, bitter potion, to a distempered state. Times, and occasions, and provocations will teach their own lessons. The wise will determine from the gravity of the case, — the irritable, from sensibility to oppression, — the high-minded, from disdain and indignation at abused power in unworthy hands, — the brave and bold, from the love of honorable danger, in a generous

cause ;— but, with or without right, a revolution will be the very last resource of the thinking and the good.” *

Our Declaration of Independence has marked the right and duty of resistance with as much definiteness as seems practicable. “ Prudence will dictate,” it says, “ that governments long established should not be changed for light and transient causes ; but, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them (a people) under absolute despotism, it is their right, it is their *duty* to throw off such government and to provide new guards for their future security.” Is it not one of the characteristics of the present day, to rush into revolutions with too little regard to the circumstances and consequences ? †

The duties of patriotism may be ranged under seven divisions. I. The moral duties of rulers of every grade. II. Duties of citizens or subjects towards the civil magistrate. III. The duty of exercising the elective franchise with integrity and discretion. IV. The duty of cultivating a patriotic spirit and the patriotic virtues. V. The duty of citizens to keep themselves well informed respecting public men and public measures. VI. The duty of aiding in the defence of the country, and in the administration of justice by serving on juries, giving testimony on oath, &c. VII. Moral duties of the United States, viewed as communities, towards each other.

CHAPTER I.

MORAL DUTIES OF RULERS OF EVERY GRADE.

It is not within the province of ethics, to discuss the constitutional, legal, or other official duties of public officers of any particular grade ; and, in doing so, the author would be going out of his way ; but the moral duties of them all are so similar, that they

* Burke's Works, Vol. V. p. 73. London, 1803.

† Gisborne's Inquiry, Vol. I. p. 77 - 83, 97, 107.

may be treated under the same division. Nor is it within the author's province to do more than advert to the personal qualifications, physical, intellectual, or moral, which the various public officers may rightfully be expected to bring to the discharge of the duties of their respective offices. His concern is with their special moral duties, arising from the stations which they fill. The public officers particularly referred to, comprise the President of the United States, and the chief executive officers by whom he is aided in the discharge of his high duties, the members of both houses of Congress, the governors of the several states and territories, the members of the state and territorial legislatures, the judges of the national and state courts, the officers of the army and navy of the United States, and of the militia of the several states. All these various officers make up a mighty host ; and, however different may be the spheres of their official duty, still they all occupy a common ground and sustain a common relation to their country, from which spring moral duties of the most important kind. Their power of influencing the public happiness is great, in proportion as their stations are elevated ; and their influence for good or for evil is felt through all the ramifications of society.

The greatest evil by which a free government is beset and endangered is, the excessive prevalence and extreme virulence of faction and party spirit. This source of public danger is great and threatening in proportion to the freedom of the government of a country and the consequent fewness of the restraints of law. Faction and party spirit have, in truth, been the bane of all free governments. No one can read of the intrigues, machinations, and exterminating violence of faction in the republics of ancient Greece, each party, as it gained the ascendancy, alternately wreaking its vengeance on the other, without being filled with aversion and disgust. The history of the Roman commonwealth and of the Italian republics of the middle ages, are too well fraught with instruction of the same melancholy kind.

But we need not go back to ancient times, to be instructed in the evils of faction and party violence. The sanguinary scenes of the French Revolution, originating in, and consummated by, the madness of party and faction, have furnished a lesson to all

mankind which ought never to be forgotten in all future time. We ourselves have tasted enough of the bitterness of party strife, to make us, if we are wise, patient under the voice of warning and admonition. The characteristics, as well as the evils, of party are substantially the same at all times.

In transacting the business of life, it is constantly the *duty* of one man to *coöperate with, and concur in promoting, the measures of another*, on the ground of an entire or substantial concurrence of judgment ; but much more than this is required of the man who enlists under the banners of partisanship. The well-trained partisan must not permit himself to be embarrassed by the trammels either of judgment or conscience. He must not hesitate to affirm what he knows to be false, — to deny what he knows to be true, — to approve what he is convinced is unwise, — and to encourage what he deems reprehensible. To countenance thorough-going party spirit, is to justify and sanction all this, — yea more, much more ; — it is to encourage factious orators, bold declaimers, needy and profligate adventurers, to join in combinations for the purpose of obtruding themselves into all the offices of government, and, under *the name and garb of servants of the people*, to impose on them chains too strong to be broken. It is to exclude men from employments, not because their characters are impeachable or doubtful ; not because their talents are inadequate or unknown ; but because they were born in a particular part of the country, are suspected of preferring measures to men, of an attachment to reason and the public good, rather than to party watchwords and appellations, and hesitate to promise implicit allegiance to the chief, and obedience to every order of the reigning political confederacy.

These, as has before been said, are not the characteristics of any particular party, but of all party when uncurbed by moral principle ; and will be displayed in stronger or fainter colors, according to the genius of the leaders and the circumstances of the times. Their prevalence at any period, not only puts at hazard the final welfare of the country, by dividing it into two conflicting parts ; by perpetuating feuds, jealousies, and animosities ; by threatening the annihilation of patriotism and public

spirit ; but tends continually to obscure the dignity, and destroy the authority, of government itself.

When the chief magistrate of a nation permits this blighting spirit to enter into the policy of his administration, much more when he is himself instrumental in introducing it, when partisanship alone is rewarded and merit discouraged, he flagrantly betrays the high trust with which the confidence of the nation has invested him. On the other hand, when, rejecting all distinctions not originating in personal merit, he is willing to confer the honors and emoluments of the State upon any of the citizens possessed of virtues and talents capable of advancing its welfare ; it is difficult to say, whether he secures, so far as an upright line of conduct can secure, more substantial advantages to his country, or more satisfaction, honor, and influence to himself. Roused by his impartial call, public spirit revives in the remotest extremities of the land, prompting every class of citizens to whatever exertions the general good may require.

After these observations, it is not difficult to understand, that it is one of the highest moral duties of men invested with public office, *to guard themselves against the fatal venom of party virulence*, and, by discountenancing it in all over whom they have any influence, to prevent it from infecting and desolating the land. The demon of party is usually raised by the wand of a very few ambitious individuals in a community ; and this, too, with a view to their personal aggrandizement. How many, also, have succeeded in raising this fierce demon from the shades, who have not been equally successful in conjuring it down at their bidding. Let the public man of whatever grade meet the spirit of faction with a resolute sense of duty, — let no excitement of passion, however craving for indulgence, let no temptation of immediate interest, or alluring advantage in prospect, — no desire of humbling a rival, supplanting a competitor, or crushing an adversary, prevail on him to lend himself to the intrigues of faction and the clamor of party violence. The sword of party, moreover, has more than a single edge ; and many a man has, in the end, been cleft asunder by it in the midst, who has for a time wielded it successfully. Situated as we are in this country, it must ever be the fault of a *very few* men, clothed with high

public confidence, if the country is distracted, and its prospects blighted, by the violence of faction and party.

The position in society, occupied by legislators and magistrates invested with the higher functions of government, gives them facilities, possessed by no other class of their countrymen, for advancing the great interests of knowledge, good morals, education, religion, and general humanity in their country, and even in foreign countries. These facilities, capacities, and opportunities of usefulness, furnished by the official situations with which the confidence of their country has clothed them, are *a great moral trust*, for the rightful and beneficial administration of which they are responsible. It is to no purpose to say, that these duties are indefinite in their nature, and prescribed by no statute or other written law. This is true, but the law of the land attempts to prescribe only a very small part of our *moral* duties ; and we cannot omit to use beneficially any of the facilities we may enjoy, of doing good, without incurring the guilt of opportunities neglected and capacities of usefulness unemployed. There are sins of omission as well as of commission, — perhaps they are not much less numerous or less aggravated ; and the principle is unquestionably recognised and sanctioned by Christianity, that every man is responsible for the beneficial use of whatever facilities, capacities, and opportunities of usefulness he may enjoy.*

The talents, which we are forbidden to let remain *unprofitable* in our hands, are our time, our wealth, our knowledge, our health, our influence, either personal or official, and whatever other powers, faculties, or opportunities were originally given us by the Almighty, or whatever he has permitted and enabled us to acquire, which can be turned to his glory, our own benefit, or the welfare of mankind. It is impossible for me to give even a general view of the facilities for doing good, furnished by the various and multiplied official situations which exist in this country, much less to enter into their details. They can scarcely fail to occur to any one, who is willing to avail himself of his official situation to make himself as useful as possible ; and, if brought to the notice of men of an opposite spirit, it could do

* Matt. xxv. 14 - 30 ; Luke xix. 12 - 17 ; Rom. xiv. 7, 8.

no good. It is chiefly the spirit by which a man is influenced, that makes him useful or otherwise. Our legislators, besides procuring the repeal of laws having an evil tendency, are furnished with all the extensive means of official usefulness within the reach of legislative enactment and supervision. Knowledge, education, good morals, and religion depend very considerably for their advancement on legislative action.

It is made the constitutional duty of the President of the United States, and of the governors of the several States, to give information to the national and state legislatures of the condition and prospects of the country within their respective jurisdictions, to recommend measures for the suppression of evils, the reformation of abuses, and the amelioration of the existing state of things generally. These documents are communicated annually, sometimes oftener; legislation usually takes its tone from what they contain; and the number and character of the subjects introduced into them depend entirely on executive discretion. What enviable facilities for doing good, do not these documents furnish to the patriot statesman? These instruments have not often contained any thing injurious to the great moral interests of the community;—and, if we have sometimes had just occasion to complain of their having too little bearing on these all-important interests, still it is but justice to admit, that their distinguished authors have availed themselves in a very commendable degree of their high official situations, to advance education, science, morals, and Christianity.

Several of our state executives have taken a most praiseworthy stand in favor of literary, moral, and religious education, of associations for the advancement of science, and against gaming, lotteries, intemperance in drinking, and other nuisances of the moral kind. The navy of the United States, under instructions from the President, has sometimes, on its excursions to distant quarters of the world, been employed to obtain valuable information, to be turned to useful purposes at home. The officers of the army, too, scattered as they are through the Union and its territories, have sometimes been instructed to make themselves useful to their countrymen in the same way. Our foreign ministers and consuls, moreover, have occasionally employed

their leisure and peculiar facilities to the same end. While we may express gratification, that so much has been accomplished, it is still to be regretted, that the rare and very peculiar opportunities of this kind, which have been perpetually occurring during the last half-century, have not been yet more productive of good. Objects of this kind are worthy of the careful attention and patriotic regard of all, who occupy stations of high official trust and responsibility.

But a moral duty of still higher importance, and specially appertaining to those who are invested with high public functions, consists in their private influence, and the personal example which they set from day to day, in their intercourse with the private citizens. The dignity of the office, by an easy transition, passes over to him who fills it; and there is a natural propensity in the human mind to adopt the sentiments and imitate the conduct of those who are invested with authority. The example of the rulers of a country, like the impulse of a stone on the yielding surface of a lake, diffuses their influence around in concentric and gradually enlarging circles, to an extent which the eye can neither trace nor limit. The power which they possess of checking or accelerating the progress of extravagance, luxury, and vice, and of encouraging or discountenancing useful plans and institutions for the advancement of morals, the improvement of the people, and the increase of industry, by their personal aid, and still more by the general credit and esteem which their encouragement will afford, is not confined to those who are eye-witnesses of their daily life and conversation. Their example diffuses its effects not merely among those who are admitted to their tables and their society, but is propagated from one knot of imitators to another, until it spreads its influence through the country far and wide, and reaches and affects its most obscure corners. It is true, that the law is supreme in our system, and that it is so, is the chief glory of our institutions;—still, notwithstanding this, enough of influence will always remain to those who are charged with the administration of the law, to render their sentiments, and more especially their example, highly injurious or beneficial to the community. The evil example of a very few men in high situations, may deluge an entire country

with infidelity and licentiousness. How often has it occurred in the history of the world, that the licentious principles and open immoralities of a profligate court have infected an entire nation with the virulence of their poison? The profligate Charles the Second, of Great Britain, infected every rank and order of society in the kingdom, with the moral poison which his sentiments and example infused.

There is at least one vice, which official persons, if they could be brought to combine their influence, might bring into such disrepute, as to expel it from society. I refer to duelling, which depends entirely for its reputation on the countenance given it by the distinguished and the influential. The good example of the same class of men in respect to gaming, intemperance in drinking, luxury, and extravagance of every kind, if less completely successful, still could not fail to be highly effective and salutary. The opposite example descends from them to men in more humble circumstances of life, until, like a flood, it desolates every village and neighbourhood with the overwhelming mischief and ruin which march in its train. In the most elective government, not all offices are elective, many are filled by appointment; and it is among the most solemn of the responsibilities of those who hold the appointing power, to select, for official trust, those among the citizens, who are most distinguished for industry, for understanding, for public spirit and for integrity, as well as to fill each department of the public service with men whose talents are best suited to its peculiar business, and to unite in each public officer, in the greatest practicable measure, purity of private morals with the lustre of official talents.*

* See Gisborne's Inquiry, Vol. I. p. 58, &c.

CHAPTER II.

DUTIES OF THE CITIZENS TOWARDS THE CIVIL MAGISTRATE.

NEXT to the moral duties of civil governors and magistrates arising from their official situation, come those which are due from the citizens towards those who are invested with any degree of official trust. That the New Testament ranks this among the most important of Christian duties, may be fairly inferred from the strong language which it is accustomed to employ. We are not only “to fear God, but to honor the king” ;* which term is here used to represent civil government and magistracy of every kind. Again, St. Peter says, † “Submit yourselves, for the Lord’s sake, to every ordinance of man ;” that is, to every person whom men have invested with any degree of lawful authority over you, — “whether it be to the king, as supreme, or unto governors,” that is, all subordinate magistrates, “as unto them that are sent by him for the punishment of evil-doers, and the praise of them that do well.”

They who are thus *ordained by men* to perform the functions of governors, are to be obeyed for *conscience’s sake* ; and are, therefore, said by St. Paul “to be ordained of God.” “There is no power but of God,” continues he ; every form of lawful government and magistracy is sanctioned by the Almighty. “The powers that be are ordained of God,” — even the idolatrous and persecuting Roman government had authority from God to exact obedience from those to whom St. Paul wrote ; whence he infers, that “whosoever resisteth the power,” whoever refuses just obedience to his lawful rulers, “resisteth the ordinance of God, and they that resist shall receive to themselves condemnation.” After some further pertinent instructions, he concludes with this comprehensive admonition, — “Render therefore to all,” i. e. to each magistrate in his proper depart-

* 1 Peter ii. 17.

† 1 Peter ii. 13.

ment, “their dues ; tribute to whom tribute is due ; custom to whom custom ; fear to whom fear ; honor to whom honor.”*

Civil governors have an arduous, responsible, and burthensome duty to perform ; the public interest and safety are committed to their hands ; and every good citizen must feel a special interest in them, and in the successful administration of their trust. To this end, they are entitled, from the citizens, *to a fair, candid, and even favorable construction and representation* of their sentiments, personal conduct, and official measures. They are the agents to whom the entire body of the citizens stand in the relation of principal ; and *a willingness to misrepresent and embarrass their measures* is a willingness to misrepresent and embarrass those, who have been commissioned to act for their benefit, in a situation in which they cannot act for themselves.

Even in cases, where their conduct and their measures are of doubtful character and tendency, they are entitled to have the doubt given in their favor. To assail them with indiscriminate abuse, with virulent invective and bitter denunciation, except for *unquestionable reasons*, is most unjust, unpatriotic, and reprehensible. St. Peter refers, in strong terms of disapproval, to those “who despise government and are not afraid to speak evil of dignities.”† Again, “Thou shalt not speak evil of the ruler of thy people.”‡ Such indiscriminate abuse and undeserved crimination of civil governors is attended with manifold evils ; it is proper, therefore, to bring it to the test of the consequences, as well as to the standard of Scripture.§ It renders them less sensible, if not indeed completely insensible, to the salutary influence of public opinion, when they find themselves fiercely denounced, by perhaps a considerable portion of the citizens, after using their best endeavours to advance the public good. In truth, the natural and almost inevitable effect of faction and unprincipled party spirit is to destroy the force of public opinion, with all its manifold advantages, even upon men of the most upright mind. To a tone of censure and denunciation, which knows not how, and does not care, to discriminate, but is only anxious to accuse and misrepresent, rulers soon come to pay no regard.

* Romans xiii. 1-7.

† 2 Peter ii. 10 ; Jude 8.

‡ Acts xxiii. 5 ; Exodus xxii. 28.

§ See pp. 33-37.

Besides, when the loud notes of censure and denunciation come from one side ; the other side is, in a measure, compelled to meet this indiscriminate abuse and invective, not only with defensive weapons of like temper, but also with like indiscriminate justification and eulogy of men and measures ; until, at length, *present effect, and not truth, is the object universally aimed at* by those who take an active part and interest in political transactions. Truth, candor, justice, fairness, and even kindness and courtesy, are gradually lost sight of ; and abuse, calumny, misrepresentation, denunciation, unmeasured impudence, and falsehood, become the settled order of things in politics, — naturally the most dignified, practical, and useful of all the moral sciences, and the most directly pertaining to human welfare and happiness.

But, besides putting a fair and equitable construction on the sentiments and measures of rulers, it is the duty of the citizens to give them *a fair and reasonable active support*, until their conduct has been such as justly to forfeit a liberal confidence. But power is encroaching in its nature ; it therefore becomes the citizens to be *watchful of the tendency of measures and events*, and the conduct of rulers may unquestionably be such as justly to forfeit public confidence and support. But, until the proofs of maladministration become full and distinct, we cannot rightfully refuse to sustain them.

Even when an administration comes into office against our wishes and endeavours, and consequently without our confidence, it is still our duty to abstain from prejudging them ; — they are still entitled to be judged by their measures, to be tried by their own merits. We are *to act for the good of our country*, and not from passion, prejudice, or personal pique. No administration of government, however wise and upright, can be respectable and useful, much less successful, unless it be well sustained ; and an administration which, if suitably sustained, might have conducted the affairs of the country successfully, may, for want of such sustaining aid, signally fail, to the lasting injury, possibly to the ruin, of the country. The effects of such a result must be felt by the private citizens, as well as by the administration, which they have so disastrously opposed, or failed to sustain. No one will say, that, in such a state of things, the

administration alone is the guilty party. They had a right to expect a fair and reasonable support from their constituents, and if this has not been given them, their responsibility is, to say the least, greatly diminished.

Such are the moral duties of private citizens towards their rulers, whether hereditary or elective, — but it is, if any thing, still more imperative on civil rulers and magistrates, as far as consists with reason and conscience, *to aid and sustain each other*. The opposition, then, are morally bound to render *satisfactory reasons at the bar of their consciences and of their country*, why they are found opposing an administration to whose hands the interests of the country have been intrusted. The presumption, in such a case, is certainly against them, and they must remove this presumption by fact and argument ; — otherwise their course is morally unjustifiable, factious motives may be justly imputed to them, and it is not too harsh to call them *an unprincipled faction*.

But, suppose a number of individuals to be conscientious in their opposition, as assuredly they may be and often have been, by what standard are they to measure their duty to their country ? It is not difficult to discover the moral rule which applies to this contingency. An opposition may use all measures justifiable in themselves, to bring back an unwise or wicked administration to the path of right and duty ; but *they must never lose sight of the honor and interests of their common country*, — *much less may they do or omit any thing to the injury of the country* for the sake of overthrowing the administration to which they are opposed. This line of distinction between a factious and a principled opposition is reasonably definite ; so much so, that, guided by it, good men will not vary much from each other in their course.

But it is precisely *here*, in applying this rule, that the most exact knowledge, mature judgment, perfect command of temper, freedom from prejudice, fixedness of principles, and unwavering sense of rectitude and duty, are wanted to insure an upright and patriotic course of conduct. There have been statesmen, who claimed to be patriots of “ the first water ” ; to all appear-

ance, *willing to ruin their country, provided they could ruin the existing administration.** Such conduct cannot well be deemed too reprehensible. And in every free country, where party spirit must always be expected, and, within reasonable limits, is even desirable, the limits beyond which party warfare may not be rightfully waged, and the moral restraints through which it cannot rightfully break, should be well and distinctly understood by all ranks of people.

“I consider the first duty of every branch of the government,” says Mr. John Quincy Adams, late President of the United States, “is, to harmonize with every other branch in the transaction of the business of the people; that the first duty of every member of the House of Representatives is, to support the President of the United States, to support the executive government of the country in every measure belonging properly to its high office, in every measure in which the judgment of the individual acting can support the proceedings of the executive. In like manner, it is equally his duty to support the measures, which pass in the other branch of the legislature; — this duty is reciprocally obligatory upon the Senate and the House of Representatives. This I have always considered, as the first duty of every person concerned in the administration of the government, whether in the legislative or executive branches. There is another subsequent duty,” continues he, “by which each of these three branches is made a guardian and sentinel over the acts of the other, and in which it may be their duty, (and a painful one it must be at all times,) to oppose any measure, be it of the executive or the other branches of the legislature, which they may think inconsistent with the constitution, or with the interests of the people. Harmony between the two branches of the legislature is of extreme importance, — harmony between the legislative branches and the executive is scarcely less important.” † These sentiments of this distinguished statesman are very apposite to the purpose of the latter part of this chapter, and amply confirm my observations and arguments.

* Sparks's Life of Gouverneur Morris, Vol. III. p. 291 – 294.

† Speech in the House of Representatives of the United States, January 22d, 1836.

CHAPTER III.

THE DUTY OF THE CITIZEN IN REGARD TO THE EXERCISE OF
THE ELECTIVE FRANCHISE.

It is the duty of the citizen to exercise the elective franchise with integrity and discretion. This franchise is exercised with *integrity*, when the citizen discharges the duty of voting according to his *honest convictions*;—it is exercised with *discretion*, when these convictions are the result of a mature judgment and an enlightened conscience. But the subject admits and requires further illustration; and, in illustrating it, my remarks will apply specially to the election of members of our national and state legislatures; but, with very slight modifications, they will apply to all elections whatever.

The elective franchise is rightly regarded as a *public trust* reposed in the citizen, requiring for its suitable discharge, certain qualifications of sex, age, knowledge, and character, and sometimes complexion. Generally, too, some estate has been required as a qualification. All wise constitutions of government, ancient and modern, have withheld the elective franchise from woman, by reason of the manifest inconsistency between her physical constitution and peculiar sphere of duty, and the exercise of any political privilege, or the administration of any political trust.* Most of the constitutions of the United States certainly, probably all of them, have refused to permit even the male sex to assume the elective trust, until the age of twenty-one years, in consequence of want of knowledge, experience, self-control, and general maturity of mind. This trust, moreover, is almost universally denied to Africans and their descendants.

It is one of the great subjects of controversy in our day, whether any estate shall be required as a qualification for voting,—whether the electors shall be few (200,000), as in France;

* See Charge to the Grand Jury of Suffolk County, Mass., December, 1835. By Honorable P. O. Thatcher. p. 26.

or many comparatively, as in England and some of our States ; or whether the white males universally above twenty-one years of age shall be intrusted with this franchise. It is not my purpose, as it is not my province, to enter into this question ; and it has been adverted to only for the sake of illustrating the nature of the trust involved in the possession and exercise of the elective franchise. It is, moreover, with us, a trust of much dignity and importance, inasmuch as the people are sovereign in this country, and the safe and healthy action of our political system depends entirely on the purity of purpose and principle with which elections are conducted. Our system cannot long survive, when the elective franchise shall have generally ceased to be exercised with integrity and discretion.

To this end, it is manifest, that this, like any other trust, ought not to be exercised in furtherance of private and selfish objects. It is conferred to be used for the public good, and in exercising it the elector must be guided by a wish faithfully to conform to the original design. He must be governed, in giving his vote, by his own views of public affairs, carefully formed and honestly entertained, and by his opinion of the character of the candidate and of his claims to public confidence. His vote, then, must not be influenced by mere party names and distinctions ; by blind eagerness to push a friend or relation into public notice ; by the desire of paying court to distinguished men with the hope of thus facilitating his own election at some future time ; or by private resentment against any of the candidates ; — all these views and motives, and many more, which are accustomed to have weight at elections, are private, selfish, degrading, in a transaction in which the public interest ought to be regarded, to the exclusion of every private and individual aim and interest.

The two questions involving the greatest practical difficulty, in the mind of a conscientious elector, are these ; — how far may a man rightfully act with a party in times of public excitement ; — and how far, and in what ways, he may attempt to influence the votes of other electors.

In political transactions generally, and most of all in elections, men must of necessity act in concert ; and it is their duty to cooperate with one another in pursuit of what they are convinced

is the general good. But there are limits to this duty, as well as to every other. No good man can coöperate with, or lend his influence to, a party which is pursuing an unjustifiable *end*. This is very plain; but parties do not so often pursue unjustifiable *ends*, as good *ends* by unjustifiable *means*. This is the besetting sin of party, and the point on which every man needs to be put distinctly on his guard. A good man must not be drawn in, to aid in accomplishing *even a good end* by means *morally unjustifiable*. If there is a doubt, he may, nay, he ought, to give it in favor of the party with which he is accustomed to act; but no excitement, no entreaties or reproaches of his associates, and no ostensible good in prospect, should ever prevail upon him to sanction palpable wrong by his participation. There is the more need of caution and firmness here, because men are frequently found to unite with a party in doing acts, of which they would blush to be guilty when acting without the countenance and encouragement of the many. But that cannot be right in a multitude, which is wrong in an individual. The moral standard is unchangeable; it applies to the doings of a multitude, as well as to the conduct of an individual.

Again, how far and in what ways may an elector (or a candidate) endeavour to influence the votes of other electors? Assuredly he may do this by imparting information, and by all the ways known to fair argument and honorable persuasion. These are means strictly moral, suitable in themselves, and honorable alike to him who employs them, and to him who yields to their influence. Consequently, all means of whatever kind opposite to, or inconsistent with these, are immoral and dishonorable to all who participate in them.

One or two examples will set this point in a clear light, and show the importance of the principle which I am illustrating. A celebrated writer says, "It will be found in the main, that a power over a man's support, is a power over his will." Again he says, "The legislature (Congress) with a discretionary power over the salary and emoluments of the chief magistrate (meaning the President of the United States) could render him as obsequious to their will, as they might think proper to make him." And further he says, "If it were necessary to confirm so plain

a truth by facts, examples would not be wanting, even in this country, of the intimidation or seduction of the executive by the terrors or allurements of the pecuniary arrangements of the legislative body.”* Mr. Jefferson states, moreover, that the control of the legislature of Virginia over the “subsistence in office” of the governor, had caused “the direction of him, during the whole time of their session, to become habitual and familiar.” †

If these things are true of the executives of the States and of the United States, men of the most elevated standing in society, as these celebrated authors assert, how much more emphatically true must they be of immense numbers to whom our constitutions have intrusted the exercise of the elective franchise. This conclusion applies particularly to nearly all the *employed* classes of persons in all branches of business, and through all the ramifications of society. They depend for their livelihood, for the conveniences and comforts of life, perhaps for their daily bread, on the good-will of their employers. How imperative, then, is the moral duty resting on employers of every grade and kind, to abstain from invading the rights of those who may be employed by them, in regard to the free exercise of the elective franchise. Tested by the consequences, this duty is imperative in proportion to the mischief which could not fail to result from the opposite course of conduct becoming general. And how flagrant an abuse of their situation as employers and patrons, to interfere with this birthright of the freeman, in any of the forms which intimidation so well knows how to assume and put in practice, — such as the forfeiture of the patron’s favor, menaces to tenants of expulsion from their farms, dismissal of workmen from manufacturing establishments, and threatening to withdraw his custom from tradesmen and artisans, in case their suffrages are given contrary to his wishes. While the employer maintains his own independence in giving his vote according to his judgment and conscience, let him respect the independence of other men as free, if not as wealthy and as well informed, as himself.

* Alexander Hamilton, *Federalist*, No. LXXIII.

† Notes on Virginia, Query 13, p. 227.

When tried by the preceding principles, it cannot be necessary to do more than advert to several practices, which in cases of contested elections, are too common both in England and in this country, to insure their unqualified reprobation in the mind of every good man. The practices to which I refer, are calculated to corrupt and poison the political institutions of a country at their ultimate sources. Among the devices resorted to, in order to strengthen the interest of candidates and promote their success, are festive entertainments and supplies of spirituous liquors furnished at their expense to all who choose to partake of them; reciprocal abuse and vilification of the candidates, and of all others who take a conspicuous part in elections; menaces of violence and even actual violence at the polls; imposing on the opposite party by the artifices and stratagems so well known to practised partisans; prostituting the dignity and influence of official station to the success of party arrangements and combinations; invoking the whole host of sectional, national, and personal prejudices, to give fresh virulence to party warfare; the organization of affiliated societies, (clubs and unions,) under party names, pervading every nook and corner of the country, and, by profligate emissaries, instituting an inquisition in every neighbourhood and family; and, lastly, the bringing the elective franchise, by the undisguised sale and purchase of votes, into public market in the broad light of day.

CHAPTER IV.

THE DUTY OF THE CITIZENS TO CULTIVATE A PATRIOTIC SPIRIT AND THE PATRIOTIC VIRTUES.

THE duty of the citizens to cultivate a patriotic spirit and the patriotic virtues comes next to be stated and illustrated. In the first stages of society, before the passions were curbed by education and discipline, before agriculture was advanced, commerce and manufactures introduced, the arts and sciences invented, or the true religion made known, the great body of the

people of every country were soldiers. War was the most honorable calling in the community, and the profession of the soldier naturally had the ascendancy over every other. In such a state of society, the spoils of victory were the most honorable of all acquisitions, and it was deemed unworthy of a man to acquire by labor what might be obtained by blood.*

As society advanced, the fierce spirit of war was softened, the arts of peace began to be cultivated; knowledge, morals, and the true religion, took the place of ignorance and superstition; industry became honorable; and life, blessed by the fruits of labor and virtue, became gradually, at least in Christian countries, comfortable, refined, and happy. The achievements of war have ever, by their brilliancy, struck the imagination more forcibly than the mild pursuits of peace; and, until civilization was far advanced, the martial spirit was the genuine spirit of patriotism, and took precedence over every thing else. And while this spirit, as has before been said, has gradually given way to the better order of things, with which we have long since become familiar; still much of it has been transferred to our times, and along with it the ancient estimate of the superior importance of the military profession. Hence it is, that even in our day, when the kingdom of the Prince of Peace is extensively established in the earth, the martial spirit, martial achievements, and martial renown, continue to be regarded by many, as the almost exclusive test, measure, and evidence of patriotism.

But assuredly, without wishing to condemn the military spirit when suitably tempered and disciplined, or to detract from the value of military services, this view and estimate of patriotism and of the patriotic spirit are unnatural, illiberal, and unreasonable. What is there in the martial spirit or in martial services, which can make them patriotic, to the exclusion of successful invention in the arts and sciences, the diffusion of knowledge and religion, and whatever other blessings the reign of morals, order, industry, and peace confer on mankind.

When analyzed, the spirit of patriotism consists of at least two elements, — the love of country, and a willingness to employ

* Tacitus, *De Moribus Germanorum*, c. 14.

the choicest powers, physical, intellectual, and moral, in advancing its interest, honor, and happiness. Every man whose breast is warmed by the love of country, and who is ready to devote his best powers of body and mind to its welfare, is fully entitled, in the best sense of the term, to the name and honors of patriotism. If it is urged, that the soldier devotes his *life* to the service of his country; a sacrifice which, from the nature of the case, can be made in no *peaceful* profession, still, conceding the most that can be made of the argument in this way, the soldier is only entitled to *higher* praise, and, by no means, to the *exclusive* honors of patriotism.

“The love of our country,” says Vattel, “is natural to all men. The good and wise author of nature has taken care to bind them by a kind of instinct, to the places where they received their first breath.* But, frequently, some causes unhappily weaken or destroy this natural impression. The injustice or severity of the government too easily effaces it in the hearts of the subjects.”† Again; he says, “The state will be powerful and happy, if the good qualities of the subject, passing beyond the narrow sphere of the virtues of individuals, become the virtues of citizens. The grand secret of giving the virtues of individuals so happy a turn with respect to the state, is, to inspire the citizens with an ardent love for their country. It will naturally follow, that each will endeavour to serve the state, and to apply all his powers and abilities to the advantage and glory of the nation.” “And,” continues he, “he must be very ignorant of politics, who does not know, that a virtuous nation will be more capable than any other, of forming a state that is at once happy, tranquil, flourishing, solid, respected by its neighbours, and formidable to its enemies.”‡ Such are the views of this distinguished writer, in regard to the patriotic spirit and the patriotic virtues of the most effective and valuable kind. These virtues consist of industry, frugality, moderation combined with energy, physical and moral courage, disciplined passions, justice, benevolence, enterprise, foresight, and good faith, all enlightened and guided by exact and comprehensive knowledge.

* See the Odyssey, Lib. IX. 34 - 36.

† Law of Nations, p. 110.

‡ Idem, pp. 108, 109.

The opinion prevailed in the time of Cicero, that the martial were superior to the civil and peaceful virtues ; but this opinion was not received by that profound moralist and accomplished statesman.* The services of Washington were neither less patriotic, nor less valuable, when, as chief magistrate of the United States, he was presiding over the civil interests of his country, than when, directing the storm of war and surrounded by its “pomp and circumstance,” he was triumphing over the armies of Great Britain, at Boston, at Princeton, and at Yorktown. Civil transactions compose much of every military campaign, and the event of military arrangements not unfrequently turns on them ; and the revolutionary services of Washington, Greene, and La Fayette, great as they were, were not more indispensable to the success of the contest, than those of Franklin, Adams, Jay, and Jefferson.

In fact, history makes known with the most convincing evidence, the truth, that mere physical power is of little avail, — nay, is absolute weakness, unless directed by skill and energy, and sustained by moral principles and the practice of the moral virtues. Moral power and well-digested discipline, capacity for order and arrangement, wisdom to direct among the well-educated and well-principled citizens of a country, much more than personal prowess and individual valor, are the chief tower of strength to a country. This view of the ascendancy of moral power (and how can it be gainsaid ?) over the affairs of a nation, and even over the events of war itself, widens immeasurably the field of patriotic feeling, enterprise, and achievement. More than this ; it reverses the order of merit on the scale of patriotism ; physical force becomes subordinate to moral ; every man may become a distinguished patriot without commanding an army ; and whoever contributes most to promote education, to augment the treasures of knowledge, to enlarge the circle of the arts and sciences, and more especially to sustain and strengthen the transcendent cause of morals and religion, is, of all men, best entitled to have his brows adorned with the honors of patriotism.

* De Officiis, Lib. I. c. 22.

CHAPTER V.

THE DUTY OF CITIZENS TO KEEP THEMSELVES WELL INFORMED
RESPECTING PUBLIC MEN AND PUBLIC MEASURES.

It is the duty of citizens to keep themselves well informed respecting public men and public measures. The exercise of the elective franchise by the people, is the principal way by which their sovereignty is made manifest ; and, to do this habitually with good judgment and discretion, a competent acquaintance with public affairs, and with the individuals who may from time to time become candidates for public office, is indispensable. Want of knowledge in a nation is an evil next in magnitude to a want of moral principle, and a disregard of the moral and patriotic virtues.

Indeed, knowledge and morals, in a nation, are most intimately allied ; and it has been distinctly seen from the very founding of our institutions, that they could fulfil the hopes and expectations entertained of them, only while the great body of the people continued to be both well informed and moral in their habits. Moreover, the sentiment seems to have been universal in this country, that a well-educated people, would, of course, be a moral people ; and, if instruction in religion be made a part of popular education, the sentiment is fully sustained by experience. This most intimate connexion between knowledge and good morals, explains why the founders of our political institutions, have so much relied for their success on universal popular education. Believing the connexion between knowledge and morals to be indissoluble, they justly argued, that by effectually securing universal education, good moral habits and principles must prevail among the great body of the people.

To this end, our state constitutions of government have made education, and the dissemination of knowledge, a subject of special recommendation and enactment ; and the framers of those instruments, and the people in adopting them, have manifested an

anxiety and earnestness on this vital subject, of which we cannot be fully sensible, without making some examination. It must suffice, however, to select a sentence from one of the state constitutions in each of the four great sections of the union, the northern, middle, southern, and western.

The constitution of Massachusetts says, "Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties, and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of the legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, and public schools and grammar schools in the towns."* The constitution of Pennsylvania says, "The legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the State, in such manner that the poor may be taught gratis. The arts and sciences shall be promoted in one or more seminaries of learning."† The constitution of Georgia says, "The arts and sciences shall be promoted in one or more seminaries of learning; and the legislature shall, as soon as conveniently may be, give such further donations and privileges to those already established, as may be necessary to secure the objects of their institution."‡ The constitution of Ohio says, "Religion, morality, and knowledge, being essentially necessary to the good government and the happiness of mankind, schools and the means of instruction shall for ever be encouraged by legislative provision."§

These wise constitutional provisions have been carried into as full effect, as the nature of a free government permits, which can only give the people *the opportunity* of having their children taught, but cannot, like an arbitrary government, compel them to avail themselves even of a provision so much and so obviously for their benefit. But it may be said with great truth, that, in every State of the Union, no one needs to fail of an education

* Chap. V. Sect. 2. † Art. VII. 1, 2. ‡ Art. IV. Sect. 13. § Art. VIII. 3.

suited to qualify him for the duties of citizenship. Nor have the constitutions and laws of the States *alone* manifested this earnestness and anxiety for universal education and the diffusion of useful knowledge among the great body of the people. The government of the United States has appropriated a large proportional part of all the public lands* for the encouragement of education; and, in the federal constitution and laws, special care is taken to furnish the people with political information on which they can *with safety rely*, and to facilitate their acquiring it in every possible way. Congress is forbidden to make any law abridging the freedom of speech or of the press. † To the same end, each House is required to keep a journal of its proceedings, and, with the exception of such parts as may in their judgment require secrecy, to publish the same from time to time. ‡ The debates in both Houses (except when confidential business is transacted) are open to the public; and, to give all possible assurance of full information being brought into debate, no member of either House of Congress can be questioned in any other place for any speech or debate in either House. § Moreover, it is made the constitutional duty of the President of the United States to give to Congress, from time to time, information of the state of the Union. || The documents in which this information is conveyed are very numerous; and they are not only indispensable to the wise action of Congress, but come from the highest and most authentic source of information on public affairs, and the national mind is annually instructed and enlightened by them.

The legislation of Congress has been in the best spirit of the provisions of the constitution. The freedom of the press is so unrestrained, that men are scarcely made responsible for its *abuse*; and it may be said with truth, that the blessings which it is fitted to confer, are greatly diminished by its licentiousness. The journals of Congress and other public documents are pub-

* An entire section (a square mile, or 640 acres) in each township of six miles square, is appropriated by law to the support of common schools in all the new States, — besides tracts for the ample endowment of universities, colleges, academies, &c. According to Mr. Clay's Report on the Public Lands, of April 16th, 1832, the aggregate of 8,460,547 acres had been appropriated to all these objects.

† See Amendment I.

‡ Article I. Section 5. 3.

§ Article I. Section 6. 1.

|| Article II. Section 3. 1.

lished in such numbers, that, if the people fail of adequate information on public affairs, it can only be for want of time to read papers so voluminous. Every public library is gratuitously supplied with complete copies of them, and they are freely distributed by the members of Congress among those whom they represent. Newspapers, being the great vehicle of every-day information respecting public men and public measures, are made by law the objects of special favor in the arrangement of the mail, the expense of conveyance being so light as not to be burthensome to the poorest citizen ; and more than ten thousand (11,100) post-offices convey them to every village and neighbourhood. Further to encourage the diffusion of political information which might not find its way into the public documents and newspapers, the same freedom from even the slightest expense of conveyance, is extended to the correspondence of every member of Congress, and every citizen is thus invited to communicate with the representative of his district with the utmost freedom, or with any other member with whom he may wish to hold communication. Thus invited and encouraged, and fully supplied with sources on which full reliance may be placed, if any citizen fails to keep himself well informed of public men and measures, he can complain of no one but himself.

There are several other topics of argument by which this duty of the citizen might have been illustrated, — such as the indispensable necessity of the people possessing this information, to the suitable and satisfactory performance of any of the duties of citizenship ; and the consideration, that, in a popular government, the acquirement of this knowledge by the citizens is only qualifying themselves to superintend their own business. But I have chosen the argument, by which the duty of the citizen to acquire the requisite information is inferred from the extraordinary facilities furnished him to this end ; and the rather so, because this source of illustration seems to have been seldom used. It may well be argued, that every duty is the more imperative as the means of fulfilling it are the more easily obtained. And, as the nation has, in its wisdom, rendered the means of political information accessible to all, what can excuse an individual from the duty of availing himself of them ?

CHAPTER VI.

THE DUTY OF THE CITIZEN TO AID IN THE DEFENCE OF HIS COUNTRY, AND IN THE ADMINISTRATION OF JUSTICE, BY SERVING ON JURIES, GIVING TESTIMONY ON OATH, &c.

It is easy to understand, that universal peace is the interest of all nations ; still history attests, that the utmost comity of one nation towards every other, joined with the most even-handed justice, has not always secured to it this great and invaluable blessing. The perverse passions of mankind,* the ambition and sometimes the resentment of princes, the thirst of powerful individuals for personal distinction, the dazzling splendor of military glory acting on warm imaginations, the love of enterprise in many, and passion for excitement in all, conflicting rights, claims, and interests, and sometimes questions of mere etiquette, have all had their influence in disturbing and desolating the earth with frequent, afflictive, and sanguinary wars.

We may hope and trust, that the blessing is in reserve for mankind, to have an international tribunal established for the adjustment of national controversies without the arbitration of the sword. But hitherto all attempts to establish such a tribunal have been unsuccessful, the hopes of the friends of universal peace have been uniformly disappointed, and, amidst the conflicting interests, passions, and prejudices of individuals, parties, and nations, the maxim still retains much of its original force, that "the best way to insure peace is, to be fully prepared for war." Our duties, moral as well as civil, are prescribed by the present condition, circumstances, and prospects of human affairs ;— they must necessarily have reference *to the existing state of things, and not to what we may wish they were*, and may trust they will be at some time hereafter. And, as it is a moral duty of a very high order, to obey the government under which we

* James iv. 1.

live,* it seems too plain to require or even to admit further illustration, that all citizens who cannot claim exemption on some fair and reasonable ground, are morally bound, when called upon by government, to aid, and, if need be, personally to take part in the defence of their country. This aid is to be given cordially and cheerfully, not in obedience to power which we cannot resist, but as a part of our *moral* duty.

Again, it is the duty of the citizen to render personal aid in the administration of justice, by serving on juries and by giving testimony on oath. "The trial by jury," says Sir Matthew Hale, "is justly esteemed one of the chief excellences of the English constitution, it being an institution most admirably calculated for the preservation of liberty, life, and property. Indeed, what greater security can we have for these inestimable blessings, than the certainty that we cannot be divested of either, without the unanimous decision of twelve of our honest and impartial neighbours? This tribunal was universally established among all the northern nations, and so interwoven with their very constitutions, that the earliest account of the one, gives us also some traces of the other. In this nation," continues he, "it has been used time out of mind, and is coeval with the civil government thereof; and, though its establishment was shaken for a time by the introduction of the Norman trial by battle, it was always so highly valued by the people, that no conquest, no change of government could ever prevail to abolish it." †

Our ancestors brought the trial by jury with them, when they settled this country, and the eulogium bestowed upon it by the wise, pious, and learned jurist just quoted, is not beyond their estimate of its value. It was claimed and admitted as a right from the beginning; and, when this right was abridged by the British Parliament, the Congress of 1774 declared (see the fifth of their Resolutions), that "the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinity, according to the course of that law." In fact, the trial

* See p. 100. — Rom. xiii. 1-7; 1 Peter ii. 13-17.

† History of the Common Law, Vol. II. p. 134.

by jury has always been regarded as the chief glory of our system of jurisprudence, and it is made the duty, as it is also the privilege of the citizen, in this way, personally to participate in the practical administration of justice. The *grand* jury, moreover, besides being the grand inquest for the indictment of criminals, are the constituted guardians of the morals of the country, and in respect to this part of their functions, seem to correspond to the Roman censors,* to whom the cognizance and supervision of the public morals were committed.

This institution, therefore, so venerable for its antiquity, its wisdom, and its practical value, evinced in the preservation and security of estate, freedom, life, and character, wherever it has flourished, has been esteemed too valuable to be intrusted to *any delegated body whatever* ; — the people of this country, as well as of Great Britain, have wisely determined, by retaining it within their own keeping, to preserve, maintain, and defend it in its original integrity, and to hand it down unimpaired in value to coming generations. It is an institution, then, in the undiminished purity of which, the people have a universal interest. No one can foresee how soon his fortune, his reputation, his liberty, or his life may depend on the verdict of a jury ; and, however upright the jurors may be, it is still a valuable feature of this mode of trial, that their sense of justice is stimulated by anticipating the possibility, that they may in turn, at some future time, be themselves placed in the situation of the accused.

But, after all the safeguards which this institution contains within itself, and which can be thrown around it, many and great as they are, its *practical value* must essentially depend on the virtue and intelligence of the great body of the citizens, — on the candor, integrity, sense of justice, knowledge, and sagacity, strength, and comprehension of mind, earnest and continued attention, impartiality, freedom from prejudice and passion, firmness, and personal independence of the individuals, who make up the jury. Without candor, integrity, and a strong sense of justice, it may be a matter of indifference to the jury *how* they decide the causes which come before them ; without knowledge, and

* Censores mores populi regunt. Cicero de Legibus, Lib. III. c. 3.

sagacity, strength, and comprehension of mind, and earnest and unbroken attention, they may, after the most full and lucid statements and illustrations of the bar and court, still be too imperfectly acquainted with the many facts, circumstances, and reasonings pertaining to the case, to come to a sound decision on its merits ; if, again, they are wanting in impartiality and are influenced by prejudice and passion, the stains with which partiality, prejudice, and passion are accustomed to discolor every object, will be seen on their verdict ; if, finally, they are wanting in firmness and independence of understanding and judgment, they will be led blindly by the court, or in times of strong popular excitement, yielding to the general impulse, they will become the tools of party, or mere instruments in ministering to the excited passions of the multitude.

It is the duty, then, of the citizen, to bring to the maintenance and support of this institution, those qualifications of heart and understanding, which are indispensable to give it its full effect and influence, and to sustain the high estimation with which it has been regarded wherever it has been known. Jury trials can fully answer their end, only in countries where education and the moral and manly virtues prevail, and only so long as they prevail ; and the state of trial by jury in any country is a very good index of the morals and intelligence of the people. Moreover, any duty which is committed to the hands of *very many* is in danger of being neglected by *all* ; and hence it happens, that many of our citizens, if they have suitable impressions of the importance of the institution, seem to be without adequate views of the moral and intellectual qualifications required, and of the moral responsibilities which the duty of a jurymen imposes on him. The trial by jury is the main pillar in the temple of justice ; and impartiality, truth, knowledge, wisdom, integrity, candor, firmness, patience, and independence adorn its portals, and become its sacred precincts. It is the duty of the citizen further to aid in the administration of justice by giving testimony on oath in courts of justice, when required by law.

Some persons, in their estimate of the obedience which they owe to the laws of their country, acknowledge themselves *morally* bound by such laws as prohibit *intrinsic evil* (*malum*

per se), while they consider themselves at liberty to evade, and this, too, with a safe conscience, such laws as make any thing an offence (*malum prohibitum*), which was not such before their enactment. For instance, theft is intrinsically a crime, in its nature; but smuggling is an offence *made such* by the enactment of law. This distinction, when made for the purpose of obeying one law, and evading or breaking another, is unquestionably unsound. The law of the land is one of the chief moral rules by which the conduct of all is to be squared, and with a very few exceptions, and those of a character clearly extraordinary, is morally binding on all.*

CHAPTER VII.

MORAL DUTIES OF THE UNITED STATES, REGARDED AS COMMUNITIES, TO ONE ANOTHER.

INDEPENDENT states, kingdoms, empires, commonwealths, all civil communities, under whatever name, are moral persons, endowed with understanding, will, and conscience, capable of merit or demerit, responsible for their acts, and charged with duties of various kinds. †

The United States owe to one another all the duties prescribed by the Law of Nature and Nations, which independent nations owe to each other. The principle which lies at the foundation of these duties, says Montesquieu, is, that “different nations ought to do each other as much good in peace, and as little harm in war, as possible, without injury to their true interests.” ‡ Lord Bacon says, “The *Divine Law* is the perfection both of the Law of Nature and Nations,” and he applies the law of Christian charity, § and the law of our neighbour, || “which includes the Samaritan as well as the Levite,” to the case of

* See pp. 29 – 32, 100.

‡ L’Esprit des Lois, Book I. c. 3.

|| “Lex proximi,” Luke x. 29 – 37.

† Vattel, Preliminary Principles, § 2.

§ “Lex charitatis,” Matt. vii. 12.

nations, and this he does to the exclusion of the principles of jurists, when the latter do not agree with the former.*

Again; "In cases of doubt," says Chitty, "arising upon what is the Law of Nations, it is now an admitted rule amongst all European nations, that our common religion, *Christianity*, pointing out the principles of natural justice, should be equally appealed to and observed by all as an unfailing rule of construction." † Finally, in 1815, the emperors of Austria and Russia, and the king of Prussia, "declared, in the face of the whole world, their fixed resolution, both in the administration of their respective states, and in their political relations with every other government, to take for their sole guide, the precepts of Christian charity and peace, which, far from being applicable only to private concerns, must have an immediate influence on the councils of princes, and guide all their undertakings, and as being the only means of consolidating human institutions and remedying their imperfections." ‡ Thus, these high authorities distinctly recognise Christian morals and the Christian religion, as the basis of the reciprocal duties of nations.

Christianity, then, is the ultimate standard, to which, among Christian nations, international duties are to be referred, and the rule by which they are to be measured. Every Christian nation is bound to conduct towards every other, as it wishes that others should, in like circumstances, conduct towards itself. They are morally bound to respect the rights, and, in every reasonable way and degree, to consult the welfare and interests of one another. But Vattel has well said, "that it exclusively belongs to each nation to form its own judgment of what its own conscience prescribes to it; of what it can or cannot do; of what is proper, or improper, for it to do." § Especially, they are to respect each other's freedom, independence, sovereignty, and rightful jurisdiction. One nation is to perform, in all good faith, the duties of neutrality towards other nations, which, unable to adjust their differences by peaceable means, have submitted them to the arbitration of the sword. No nation is permitted,

* Works, Vol. II. pp. 289 - 294. 4to. London, 1765.

† Note to Vattel on the Law of Nations, Preliminary Principles, § 3.

‡ Niles's Register, Vol. X. p. 92. § Preliminary Principles, § 14, 16.

by its duty, to interfere in the internal concerns of another nation. Every nation is entitled to manage its internal concerns in its own way, without the interference or dictation of another. Any interference of this kind tends to disturb friendly intercourse, and is just cause of offence.

These duties, indeed, are too well understood to be often violated ; but there is another, the violation of which is much more common ;— I refer to the case of one nation countenancing the infringement of the laws of another, and even lending the aid of its tribunals to carry such infringement into effect.* Assuredly, Mr. Justice Story well concludes, with Pothier, that such a practice is inconsistent with good morals, and sound views of international duties and obligations. “ The *natural* and primary law is that of God and our conscience, the law which enjoins us to do good to our neighbour, whether in literal strictness he may have a *perfect* right to demand such treatment from us or not. This is a law that *ought* to be as strong in obligation as the most distinct and positive rule, though it may not always be capable of the same precise definition, nor consequently may allow the same *remedies to enforce* its observance. As an *individual* is bound by the law of nature to deal honorably and truly with other individuals, whether the precise acts required of him be or be not such as their own municipal law will enforce ; just so a *state*, in its relations with other states, is bound to conduct itself in the spirit of justice, benevolence, and good faith, even though there be no positive rules of international law, by the letter of which it may be actually tied down. The same rules of morality which hold together men in families, and which form families into a commonwealth, also link together several commonwealths as members of the great society of mankind. Commonwealths, as well as private men, are liable to injury, and capable of benefit, from each other ; it is, therefore, their duty to reverence, to practise, and to enforce those rules of justice, which control and restrain injury, which regulate and augment benefit, which preserve civilized states in a tolerable condition of security from wrong, and which, if they could be

* See Story's “ Commentaries on the Conflict of Laws,” pp. 204, 205, 212.

generally obeyed, would establish and permanently maintain, the well-being of the universal commonwealth of the human race.”*

The peculiar duties, which the United States owe to each other, chiefly respect the preservation of that harmony, which it is so essential to maintain among communities standing in a relation so very intimate to one another, and without which reflecting men have always foreseen, the union could not long subsist. It is the moral duty of the citizen to obey the laws; and, as the Constitution of the United States is the highest law known to the country, an observance of its obligations, becomes *the highest rule of duty* to the citizen next after the divine law. A constitutional duty, then, is *a great moral duty*, binding on the states as communities, and, of course, binding on the consciences of the individual citizens of which the State is composed. This cannot be denied, without falling into the absurd consequence, that what is binding on the body politic, is not binding on the members. But the duty of the States and of the citizens to maintain this harmony, which is the great object kept in view by the Constitution in those of its provisions which refer to the relation and intercourse of the coördinate States with each other, may be most successfully illustrated by reviewing the occasions, on which it has been most frequently violated, and on which future violations are most likely to occur.

1. One way in which this duty of cultivating harmony and maintaining friendly relations, has sometimes been violated is, by a course of unfriendly legislation by one State, calculated and intended to affect injuriously the interests of one or more of its sister States. Such a course arises from a real or supposed inconsistency of interests.† Sometimes it has arisen from a wish, by one State, to obtain for its citizens exclusive advantages, which in reason equally belonged to other States.‡

Every thing of this kind rests on the ground, that the pecuniary interest of a State is *its highest interest*; — when, viewed as a mere stroke of selfish policy, it is mistaken and short-sighted, as indeed are all violations of moral duty either by individuals or

* Chitty, note to Vattel on the Law of Nations. — Prelim. Principles, § 10.

† See The Federalist, p. 116.

‡ Wheaton's Reports, Vol. ix. p. 1.

communities. It is the duty of the States to coöperate with each other in every thing that pertains to the common good ; and, while they consult their own interest, to have a generous regard for the interests of the other States. Indeed, this country has witnessed many gratifying instances, in which two or more States, forgetting all narrow and local interests, and laying aside all local jealousies, have cordially united in enterprises tending to the common good. And, while the States maintain a generous and honorable rivalship in regard to the acquisition of wealth, renown, and influence, let them carefully preserve an attitude of friendship and good-will ; and let each and every one show herself studiously regardful of all the civilities, proprieties, and courtesies, which are due to one another from the members of a numerous sisterhood.

2. But harmony between the States is not in so much danger of being disturbed by the direct interference of one State with another, through selfish, unfriendly, and vexatious legislation, as by the officious and unwarrantable interference of individuals, and more especially of self-constituted societies. Societies may be, and in fact, as is well known, have been organized in some of the United States, designed to affect, perhaps to destroy, the institutions of other States, which the individuals associated suppose to be capable of improvement, or which, they may suppose, ought to be destroyed. All this is contrary to the moral duty of the individuals concerned ; and, if such societies become dangerous to the peace and safety of the States whose institutions they are designed to affect, and especially when they become the subject of general and official complaint, and a source of discord, misunderstanding, and alarm, it seems to be the duty of the States in which they exist, to suppress them by the strong and decisive arm of the law.*

Any interference of one nation with the institutions or concerns of another, however indirect, is always extremely delicate, calculated to excite distrust and misunderstanding, and is just cause of offence. Nor, in such a case, can the conduct of indi-

* See Governor Marcy's Message to the Legislature of New York, January, 1836, — and the Report of a Select Committee to the Legislature of New Hampshire, on Abolition Societies, made and accepted in January, 1837.

viduals, or of combinations of individuals, well be distinguished from that of the nation itself. Every nation is responsible for the conduct of its members. This is the established doctrine of the Law of Nations, and must unquestionably apply in all its force (*a fortiori*) to the very intimate relation subsisting among the United States.*

3. Again, another way in which the harmony of the States, and also of still larger sections of the Union, has been, and may be still further impaired is, by the mutual abuse and vilification of one another's institutions and other peculiarities, circulated in newspapers, reviews, and sometimes in publications of more

* "If the other States of the Union," says the legislature of North Carolina, "were *foreign* states, it would be a violation of national law in them, either to set on foot themselves, or permit their own subjects to set on foot, any project the object or tendency of which would be to disturb our peace, by arraying one portion of society against another. The Constitution which unites us, and by virtue of which we have ceased to be foreign states in regard to each other, and have become bound in the closest union, and the most intimate relations, for the promotion of the common defence and general welfare, cannot be supposed to have lessened our mutual obligations, or to have made an act harmless, which would have been gross wrong, had we continued in respect to each other as we now are in respect to other nations, — in war, enemies, and only in peace, friends. It is evident, on the contrary, that every duty of friendship towards each other, which before existed, is by our union heightened in its obligation, and enforced by motives the most exalted and endearing. Whatever institution or state of society we think proper to establish or permit, is by no other State to be disturbed or questioned. We enter not into the inquiry, whether such institution be deemed by another State just or expedient. It is sufficient that we think proper to allow it. To protect us from attempts to disturb what we allow and they approve, would be to support not our institutions, but their own opinions, — to exercise a supervising power over our legislation, and to insult us with a claim of superiority in the very offer to discharge the duty which our relations authorize us to require. As our right is indisputable to regulate exclusively, according to our own notions, the interior relations of our own people, the duty of preventing every attempt to disturb what we have established, results from the simple fact, that we have established it. And the propriety and impropriety, in the view of others, of such regulations as we have pleased to make, can never either enhance or lessen the duty of such prevention. No other State, therefore, and no portion of the people of any other State, can claim to interfere in any matter of ours, either by authority, advice, or persuasion; and such an attempt, from whatever quarter it may come, must ever be met by us with distrust, and repelled with indignation." (Report and Resolutions of North Carolina, on the Subject of Incendiary Publications, December 19th, 1835.)

grave importance. The relation of sisterhood is singularly expressive of the connexion which subsists between these States, — the peculiarities and even the defects of any one or more of them, are entitled to be viewed with candor and even with indulgence by any others, who may feel themselves justified in regarding whatever pertains to themselves with peculiar complacency. At all events, it is not the part of individuals or communities, which stand in a relation so intimate to each other, whose highest interests, hopes, and prospects, — nay, whose destinies are inseparably united, and who consequently must stand or fall together, who have so direct and palpable an interest in maintaining harmony, and in the mutual welfare and good opinion of each other, to seize every occasion to abuse, vilify, and misrepresent each other. Much mischief has been done by the mutual abuse, vilification, and misrepresentation, which have passed between the northern, southern, and western sections of the Union even thus far ; — and these great divisions of the country, which ought to be indissolubly bound to one another by the golden chain of mutual harmony and good feeling, have been and may again be in danger, by reason very much of this mutual abuse and irritation, of being permanently alienated, and of being separated into as many alien, unsocial, jealous, and hostile sovereignties, feeble and despicable in respect to every thing foreign, and formidable only to one another.

Finally, the several United States owe it to themselves, to each other, to the Union, and to the supremacy of moral principle, to observe, uphold, and adhere to the Constitution of the United States ; to submit to its provisions, the laws made in pursuance thereof, and the decisions of its tribunals. The obligation of this duty is in proportion to their ability to make successful resistance. Many of the States are too powerful for coercion ; they must be governed, therefore, not by physical force, but must be kept within the rightful limits of their constitutional duty by the strength of their inherent moral principle.

PART THIRD.

THE CHIEF RELATIONS OF MANKIND TO ONE ANOTHER, AND THE DUTIES THENCE ARISING,— THAT IS, THE DUTIES WHICH MEN RECIPROCALLY OWE TO EACH OTHER.

OUR relation to God and our country, and the duties thence arising, have been as fully considered as consists with my design. But we sustain other relations, of various kinds, and of various degrees of intimacy, the effect of all of which is, to charge us with peculiar duties and impose on us peculiar responsibilities. These are the relations of husband and wife, of parents and children, of brothers and sisters, of master and servant, of principal and agent, with their corresponding duties and rights. The relations of guardian and ward, and of instructor and pupil, are branches of, or rather substitutes for, the parental relation. The obligation of truth between man and man, and of the observance of promises, springs directly from the relation in which men stand to each other as moral and responsible beings. Contracts of various kinds include a very large part of the business transactions of mankind, and the relation of the contracting parties in forming and executing such contracts is another source of moral duties. Our social rank and relative standing in society place us in the relation of superiors, equals, or inferiors. If we are blessed with wealth and consequent leisure, we are thereby brought into new relations towards those who have been less favored than ourselves with the bounties of Providence ;— we owe them our personal services in their behalf, and pecuniary relief, when they are destitute of the comforts and especially the necessaries of life. The duties of friendship and hospitality, and the mutual duties of benefactor and beneficiary, also claim a portion of our consideration and regard. The relation of good

neighbourhood, moreover, is one on which much of our peace and happiness depends.

This enumeration of the relations in which men stand to each other is not complete, nor is designed to be complete ; but it comprises all those which are usually made the subjects of inquiry in elementary treatises of moral philosophy. Some of them are natural, others voluntary, others both natural and voluntary. Some are permanent and sanctioned by law, others are transient and incidental. One (marriage) is sanctioned by the united power of personal choice, law, and religion. Our relative duties are chiefly performed in private, and are withdrawn from the gaze of the world ; but they are extremely important, by reason of their number, the constancy of their recurrence, and the endless variety of their ramifications ; by which they pervade human society in all its ranks, modifications, and degrees of improvement. The happiness of mankind, therefore, is deeply concerned in these relations being well understood, and the duties which flow from them being suitably performed. Some attention must have been given them in every stage of society. Their importance is of the first order ; and, in every civilized country, they have been made the subject of anxious and careful consideration and inquiry. They are made the subject of three of the ten commandments, and the Hebrew Scriptures abound with precepts and examples, illustrating their nature, and enforcing their fulfilment. Christianity has recognised, strengthened, and refined these relations, and has prescribed and enforced the duties of many of them by new, positive, and more definite instructions. To collect these instructions, to arrange, amplify, limit, and apply them to the relations of life, giving their authority the first rank, and accompanying them with argument and elucidations drawn from reason, experience, authors ancient and modern, and every other accessible source, will swell this branch of my treatise much beyond the size of the other parts into which it is divided.

The key to the morals of this important branch of the subject, is given us by our Saviour in this saying, “ All things whatsoever ye would that men should do to you, do ye even so to them, for ” (it is added to give preëminence to the precept) “ this is

the law and the prophets.”* This is the grand rule, by which we must in all cases regulate our conduct towards others ; and it is a rule, plain, simple, concise, intelligible, comprehensive, and every way worthy of its Divine Author. Whenever we are deliberating how we ought to act towards another person in any particular instance, we must, in imagination, change situations with him, — we must place him in our circumstances, and ourselves in his, and then impartially inquire, how we might *reasonably* expect him to behave towards us, if our respective situations were exchanged. Every man, at first sight, must perceive, that this would lead to universal justice, truth, goodness, gentleness, compassion, beneficence, forgiveness, candor, and charity, and exclude every thing of an opposite nature. If we honestly proceeded in this way, we should seldom need a casuist, to teach us how we ought to act towards other men, in any possible situation or circumstances.

CHAPTER I.

THE DOMESTIC RELATIONS AND THE DUTIES SPRINGING FROM THEM.

THE domestic relations and their appropriate duties, being first in the order of importance, deservedly claim the first rank. The family is the original of all societies, and contains the foundation and primitive elements of all other institutions. The family was instituted by God himself, † and with this institution, he crowned the fair creation which he had made in six days and pronounced very good. As it was the first of all human associations, so it is the most natural, the most permanent, and the most effective of good.

We are accustomed to unite ourselves into artificial associations, useful and valuable for the ends which they have in view ; but they are the work of men’s hands, they partake of the frailty

* Matt. vii. 12.

† See Genesis i. 26 – 28 ; ii. 18 – 24.

of man, their author, and are not to be compared with the original domestic societies into which we are united by the ordinance of God himself. In the smallest and most familiar things, the thoughts of the Almighty are above our thoughts and his ways above our ways.* We have asylums in which many children are fed, clothed, and instructed ; hospitals in which many sick, friendless, and destitute persons are received and cared for, and associations whose object is, to spread the knowledge and blessings of Christianity. All these institutions are useful and valuable, and do distinguished honor to the age and country in which we live. But how many children are fed, clothed, and instructed in all our asylums, compared with the multitudes who are thus much more effectually cared for in all the *families* which fill the land ? How many sick, friendless, and destitute persons are relieved in all our hospitals, compared with the number among us, who, at their own houses are watched over by the nursing care of mothers and sisters, and surrounded and soothed by the tenderness which grows up only in the family circle ? To how many do our religious associations impart the knowledge and blessings of Christianity, compared with the numbers to whom domestic instruction and example impart their first pious impressions, and their earliest and most effectual religious training ?

These comparisons are not made in order to depreciate our asylums, hospitals, and missionary associations, — far, very far from it ; but that our attention may be distinctly drawn, at the outset, to the importance of our *domestic* relations and the duties which originate in them, and because we are always in danger of disregarding and neglecting whatever is familiar and of daily recurrence. That simple and unostentatious society which God has instituted, *a family*, — that refuge from the storms of life, our home, raised and consecrated by the holiest instinct of our nature, is an establishment worth infinitely more than all the institutions great and small, which *man* has ever devised. In truth, just as far as this is improved, as its duties are suitably performed, and its blessings prized, all artificial institutions are superseded. Here, then, is the appropriate sphere for the agency of the wise

* Isaiah lv. 8, 9.

and good. Improve the family, strengthen the relations of domestic life, and more is done for the happiness and progress of mankind, than by the most splendid charities.

Moreover, whatever there is of dignity, interest or importance in government, education, and religion, is all combined in the family, when well regulated. It includes the maintenance of a just and rightful authority, and the wise administration of discipline. The earliest and most lasting impressions are made at the domestic fireside; the manners are formed there, good or evil principles are imbibed there; the temper and affections are cultivated and regulated there; the habits and sentiments, which in a great measure govern future life, are contracted there;—the family, then, is a more extensive and effectual place of education than the school, the college, or the university. There, too, the infant is first taught to lisp its brief, unaffected prayer; there, day by day, the Scriptures are searched; and there, morning and evening, the inmates prostrate themselves, in united prayer to the Father of light, at the domestic altar;—the pious family, then, is a church of the most High God.*

Consulting convenience and perspicuity of arrangement, it will be useful to subdivide this chapter, by reason of its unusual length, and the variety of subjects which it embraces, into several sections. I. The relation of husband and wife, and their reciprocal duties. II. Of parents and children. III. Of brothers, sisters, and more remote relatives. IV. Of master and servant.

SECTION I.

The relation of husband and wife is the first of the domestic relations, and the foundation of all the rest. In all countries raised above barbarism, this relation has been considered peculiarly sacred, and involving duties of the most solemn and responsible kind. Almost universally, a religious sanction has been believed to pertain to this relation; and the narrative of the creation of man, and of the institution of marriage in the persons

* Colossians iv. 15; Philemon ii.; Dr. Channing on Associations, in "The Christian Examiner," of September 1829, pp. 116, 117.

of Adam and Eve, accompanied by the strong declaration of our Saviour, "What GOD hath joined, let not man put asunder," * seems fully to warrant this belief.

Accordingly, in Christian countries, it has, with almost universal consent and approbation, been solemnized by the ministers of religion, and before the altar; and, in the largest branch of the Christian church, the dignity of a sacrament has been conferred on it, and the consent of the parties is ratified by the solemnities of a sacramental service. In this country, the municipal law regards marriage as a civil contract between the parties, and permits its celebration by a civil magistrate; but public opinion, stronger and more authoritative than law, has made this provision nothing worth, and the marriages are extremely few, which are not celebrated by clergymen. The municipal law, moreover, although it does not acknowledge the religious character of this contract, still treats it as it treats no other contract. In no Christian country, can it be dissolved by the mere consent of both parties, or even of all the persons interested in its continuance; and, in England and every one of the United States, its dissolution can be accomplished only after much delay and expense, and for reasons of the most peculiar and pressing kind. In this State (S. Carolina), there has been no instance, since the revolution, of a divorce of any kind, either by the sentence of a court of justice, or by act of the legislature. †

Nor are the importance of the marriage union, and the objects of its institution, unworthy of its divine origin, and of the numerous and special guards which the law has thrown around it for its protection and perpetuation. The number and solemn nature of the duties springing from the relation, fully correspond to the importance and sacredness which belong to the relation itself. But how shall these duties be enumerated? how described and set forth with adequate fulness and variety of illustration? They occur every day, and almost every hour of every day. They are not confined to the external conduct, nor to the expressions of the tongue; they reach the thoughts and intents of the heart. ‡

Besides being numerous and various, these duties are of every

* Matt. xix. 6. † Kent's Commentaries on American Law, Vol. II. p. 88.

‡ Matt. v. 28.

degree of magnitude. Some of them are great duties, — so great, indeed, that the comfort, the happiness, nay, the salvation of the parties, may depend on their being suitably performed. Some of them are so delicate as to require the best-disciplined temper and passions, the most just taste, the most mature judgment, and the most cultivated understanding, for their suitable appreciation and performance. Many of them are too minute and evanescent to be reached by any description short of inspiration itself. And accordingly it is in the Scriptures, that we find this relation and its duties described with a fulness, pertinency, and strength of illustration, which we attempt in vain to find elsewhere. Every image and every expression by which intimacy, delicacy, and tenderness can be conveyed, is exhausted by the sacred writers. The state itself is commended by St. Paul to be honorable in all men.* Christianity recalled marriage to the original standard appointed by the Creator, the union of one man with one woman.† This union cannot rightfully be dissolved, but from a single cause.‡

The equality in number, too, of men and women born in all ages and countries, proves polygamy to be as inconsistent with the law of nature as it is with the ordinance of God. This argument is used by the prophet Malachi, who well says, if it had been the intention of the Almighty to permit a man to have more than one wife, he would have created a greater number of women than of men.§ Thus, as St. Paul says, every man is to have his own wife, and every woman her own husband.|| The husband is to render unto the wife due benevolence, and likewise, also, the wife unto the husband.¶ Husbands are to dwell with their wives according to knowledge, giving honor unto the wife, as unto the weaker vessel, and as being heirs together of the grace of life, that their prayers be not hindered.** The husband is declared to be the head of the wife, even as Christ is the head of the church. Husbands are to love their wives, even as Christ also loved the church and gave himself for it.†† He that loveth his wife loveth himself; and it is declared to be as inconsistent for

* Hebrews xiii. 4. † Gen. ii. 22-24; Matt. xix. 3-8. ‡ Matt. xix. 9.
 § Malachi ii. 14-16. || 1 Cor. vii. 2. ¶ 1 Cor. vii. 3.
 ** 1 Peter iii. 7. †† Eph. v. 23, 25.

a husband to hate his own flesh, which he is accustomed to nourish and cherish, as to hate his wife.* A man leaving his father and mother, and being joined to his wife, is called a great mystery.† On the other hand, the virtuous wife is called a crown to her husband;‡ the heart of her husband is said safely to trust in her; — through her influence, her husband is known in the gates, when he sitteth among the elders of the land. Her children arise up and call her blessed, her husband also, and he praiseth her.§ Wives are to submit themselves to their own husbands, as unto the Lord. As the church is subject unto Christ, so are wives to be to their own husbands in every thing. The wife is to see, that she reverence her husband.||

Again, the adorning of women, is not to be the outward adorning of plaiting the hair, and of wearing of gold, and of putting on of apparel; but it is to be the hidden man of the heart, in that which is not corruptible, even the ornament of a meek and quiet spirit, which is, in the sight of God, of great price. Sarah, who obeyed Abraham, calling him lord, and other holy women of ancient times, are made examples of suitable behaviour, who trusted in God, and adorned themselves, being in subjection to their own husbands.¶ St. Paul declares it to be fit in the Lord, that wives submit themselves to their own husbands; and he exhorts them to love their husbands, to love their children, to be discreet, chaste, keepers at home, good, obedient to their own husbands, that the word of God be not blasphemed.**

The preceding passages, numerous as they are, are only a small part of what the Scriptures contain, pertaining to this most important of the domestic relations. They are full, distinct, authoritative, — and there is no mistaking their import. Still it may be useful specially to illustrate and dwell upon two particulars.

1. The union of feeling and sentiment, so much insisted on between the parties to the marriage relation, in the New Testament, must not rest in theory alone, — it is designed to answer the most important practical purposes. Without a good degree

* Eph. v. 28, 29.

† Eph. v. 31, 32.

‡ Prov. xii. 4.

§ Prov. xxxi. 11, 23, 28.

|| Eph. v. 22, 24, 33.

¶ 1 Peter iii. 1-6.

** Col. iii. 18; Titus ii. 4, 5.

of unity of feeling, design, and action, every thing in a family must inevitably go wrong ; and coldness and gloom, if not distrust and discord, will be guests, where quiet, peace, tranquillity, mutual regard and confidence ought to reign with unbroken sway. Quietness under our own roof, and quiet in our own consciences, are blessings of unknown value, for the want of which nothing can atone. “ Abroad,” says an admirable writer, “ we must more or less find tribulation ; yet, as long as our home is a secure and peaceful retreat from all the disappointments and cares which we meet with in that great scene of vexation, the world, we may still be tolerably happy. But, if that which should be our main sanctuary from uneasiness becomes our principal disquietude, how great must our uneasiness be. There cannot be a greater curse, than to have those of one’s own household one’s greatest foes ; when we neither can live happily with them, nor must think of living apart from them.” Again, “ To see a well-regulated family, acting as if they were one body informed by one soul, where, if one member suffers, all the members suffer with it ; to see those who are embarked together in one bottom, whose interests are inseparably united, and therefore whose hearts ought to be so too, acting in concert, adopting each other’s cares and making them their own, uniting their friendly beams, and jointly promoting the common happiness, is a beautiful scene, and amiable even in the sight of that Being, who maketh men to be of one mind in a house. How joyful a thing it is for brethren to dwell together in unity.” *

How just a picture does our Saviour draw, when he says, “ Every kingdom divided against itself is brought to desolation ; and every city or *house* divided against itself shall not stand.” † Party distraction, conflicting interests and passions, abuse and violence, strife and bitterness, are sometimes sufficiently afflictive in kingdoms, commonwealths, and cities ; but in families, when once they break forth, they rage with ten-fold virulence and mischief. “ When peace and tranquillity are banished from all places else on the earth, the condition of life still remains tolerable, while harmony presides around the domestic altar.” ‡

* Jeremiah Seed’s Sermons, Vol. I. pp. 39, 44.

† Matt. xii. 25.

‡ See Bishop Jeremy Taylor’s Sermons, Vol. I. p. 323.

2. The other particular deemed worthy of special illustration, respects the precedence assigned in the Scriptures to the husband, and the corresponding obedience which the wife is enjoined to render to his wishes and commands. This particular is intimately connected with the preceding, inasmuch as differences of opinion and inclination must sometimes inevitably exist between persons in married life ; and it ought to be settled and understood beforehand, which party shall, in the last resort, give way. On this particular, St. Chrysostom says, "Equality breeds contention, and one of the two must be superior, or else both would strive perpetually for the dominion. Wherefore," continues he, "*the laws of God and the wisdom of all nations have given the superiority to the husband.*" *

Reason and Scripture then concur in claiming precedence for the husband in this respect ; and, moreover, this claim rests on the substantial grounds of greater experience and knowledge of the world, a superior education in most instances, and much greater responsibility in providing for the wants and meeting the expectations of a family. But, in using this precedence with which the husband is invested, let him remember, as Bp. Jeremy Taylor well says, that "A husband's power over his wife is paternal and friendly, not magisterial and despotic. The wife is under perpetual guardianship (*in perpetuâ tutelâ*), under conduct and counsel ; for the power a man hath is founded in the understanding, not in the will or force ; it is not a power of coercion, but a power of advice, and that government that wise men have over those who are fit to be conducted by them." Again he says, "The husband and wife in the family are as the sun and moon in the firmament of heaven ; he rules by day, and she by night, that is, in the lesser and more proper circles of her affairs, in the conduct of domestic provisions and necessary offices, and shines only by his light and rules by his authority ; and as the moon in opposition to the sun shines brightest, that is, then when she is in her own circles and separate regions, so is the authority of the wife then most conspicuous, when she is separate and *in her proper sphere.*"

* Quoted in Bishop Brownell's Commentary on the Book of Common Prayer, p. 379.

And further, “Concerning the woman’s duty, it consists in doing whatsoever her husband commands, and so receives measures from the rules of his government. Her first duty is obedience, which, because it is nowhere enjoined that the man should exact of her, but often commanded to her to pay, gives demonstration that it is a voluntary cession that is required; such a cession, as must be without coercion and violence on his part, but on fair inducements and reasonableness in the thing, and out of love and honor on her part.” Again he says, quaintly enough, as elsewhere, “It is modesty to advance and highly to honor them who have honored us (women) by making us to be the companions of their dearest excellences; for the woman, that went before the man in the way of death, is commanded to follow him in the way of love; and that makes the society to be perfect, and the union profitable, and the harmony complete.” Moreover he says, “A wife never can become *equal but by obeying*; but so her power, while it is in minority, makes up the authority of the man integral, and becomes one government, as themselves are one man.” “She that hath a wise husband, must entice him to an eternal dearness by the veil of modesty and the grave robes of chastity, the ornament of meekness, and the jewels of faith and charity; she must have no coloring but blushings, her brightness must be purity, and she must shine round about with sweetnesses and friendship, and she shall be pleasant while she lives, and desired (lamented) when she dies.”* It would have been wrong, not to have availed myself of the authority of this celebrated divine, whose sentiments are as excellent as his style is copious and happy.†

SECTION II.

The relation of parents and children is the next of the domestic relations in intimacy, and the mutual duties growing out of it are of the utmost importance. Children are universally felt to be the first hope and highest interest of their parents. They bear their names, reflect their qualities, and are destined to inherit

* Sermons on the Wedding Ring.

† See Brown’s *Philosophy of the Human Mind*, Vol. III. pp. 377 – 383.

their estates, when they shall be called away from the stage of life. In the order of nature, too, parents are to be laid in their final resting-place by the hands of their children, and the keeping of the reputation they have left behind them, is to be committed to their guardianship. Parents look to their children for very much of their happiness in life, and as the chief source of their comfort in declining years. Moreover, children are the hope of the commonwealth, which looks to them for its future citizens; and they are equally the hope of the church, which sees in them its future defenders, pillars, and ornaments. On the other hand, children are indebted to their parents for their existence, for nurturing and cherishing their infancy, and where parental duties have been suitably performed, for their education, for giving them a right direction and settlement in life, and for bringing them forward advantageously on the stage of human affairs.

1. The chief duties of parents to their children which it is necessary for me to notice are, then, education, in the most extensive sense of that term, and including parental advice, — some aid in the settlement of them for life, — and the rightful and judicious distribution by parents of their estates among their children at their death.

Education embraces many objects besides the mere knowledge of books, however necessary and valuable this knowledge may be. Milton says, “I call a complete and generous education, that which fits a man to perform justly, skilfully, and magnanimously, all the offices, both private and public, of peace and war.”* Dr. Watts understands the suitable education of children to consist in “the instruction of them in those things, which are necessary and useful for them in their rank and station, and that with regard to this world and the world to come.”† But it may be well to be more particular.

Every man, whatever walk of life he may pursue, requires a good constitution of body; and very much of the attention of parents must be given, during a considerable number of the

* Letter to Master Samuel Hartlib on Education.

† Improvement of the Mind, p. 306.

earliest years of their children, to their physical education, — to the unfolding, strengthening, and maturing of their physical powers, by suitable diet, air, and exercise. The usefulness and happiness of many a man has been destroyed, or greatly impaired, by a feeble constitution of body entailed upon him by the neglect of his physical education. “Better is the poor,” says the Son of Sirach, “being sound and strong of constitution, than a rich man that is afflicted in his body. Health and good estate of body are above all gold, and a strong body above infinite wealth. There is no riches above a sound body, and no joy above the joy of the heart. Death is better than a bitter life, or continual sickness.”* A constitution, firm and vigorous to withstand exposure, and proof against the ordinary inlets of disease, is, in truth, *of itself a fortune*, and can only be obtained by inuring the body to the severe training of exercise, labor, and fatigue, in early youth.

The formation of the manners, too, on which usefulness and happiness in life so much depend, is a part of what parents owe their children in the way of education. An early familiarity with the forms of social intercourse, an address uniting dignity with ease, confidence without arrogance, simplicity and naturalness without rudeness, and refined cultivation without affectation, are of immense advantage in the intercourse with the world which every one must continually hold. A well-disciplined temper, and complete subjection of the appetites, passions, and affections to reason and conscience, are essential to personal comfort, to usefulness and to ordinary respectability, and should be the object of early parental solicitude and watchful care. Moral and religious impressions, or their opposite, are very early made on the minds of children, and the seeds of moral habits are very early sown, which grow up and bear fruit of a good or evil kind, in the joyful or disastrous increase of a hundred fold. An important part, too, of the moral education of children is, to guard them against injurious prejudices, antipathies, and prepossessions, and to enlist their affections and sympathies on the side of truth and duty. But a man’s principles are *the basis of his character*, —

* Ecclesiasticus xxx. 14 – 17.

moral habits, without the sustaining and controlling aid and support of principles are insecure, and, therefore, the habits of children and youth should early be confirmed by imbuing them with sound moral and religious principles.

Moreover, in an uncultivated state of society, almost every thing esteemed desirable is obtained by physical strength ; while, in enlightened times, and among cultivated nations, almost every thing valuable is the fruit of knowledge. Hence, at the present day, even in the humblest walks of life, considerable literary education is indispensable to success. Indeed, the term education, when used without qualification, is understood to mean (*par excellence*) literary education. On the importance attached to education in this most usual sense of the term, it would be entirely superfluous to enlarge. Its value is universally acknowledged ; there is no subject on which coincidence among men is more perfect and complete. Our schools, academies, colleges, and universities ; our libraries, public and private, are the best proof of this universal conviction. Every degree of education is valuable, and it is not necessary to say, that no child can be too well educated. Still, from the necessity of the case, the education of most children must be comparatively limited. And to aid parents in deciding what branches of knowledge shall be taught their children, it may be well to quote the saying of a distinguished ancient, who being asked what he had directed his children to be taught, replied, “ Those things of which they will have need when they become men ;” * a text, containing much within a small compass, and on which a fruitful commentary might be written.

Estimated by this standard, parents, even in the humblest spheres of life, ought not to be satisfied with themselves, without having their children taught the reading, writing, and grammar of their native language, arithmetic, some knowledge of the earth on which, and of the heavens beneath which they live, the elements of history in general, and of their own country in particular, the fundamental truths of Christian doctrine and morals, and the political constitution of their country. Boys

* Plutarch, Apoth. Lacon., — quoted in Taylor’s Civil Law, Preface, p. iii.

destined for any of the trades, should be taught, besides the branches just mentioned, the elements of mechanics, natural philosophy, and chemistry. Girls are to be taught the useful branches, and ornamental accomplishments, which befit their sex, circumstances, and expectations in life. Mathematics and the classical languages must be the pillars of the education of youths designed for the three great learned professions; and those who make general literature and the sciences their profession, must swell their treasures with the contributions of every age, country, and nation.

The parents' duty of teaching their children, is usually delegated to private or public professional instructors, under the general superintendence of the parents themselves. When invested with this responsible trust, instructors are *in loco parentis* (*in the place of the parent*) so far as the special object of the trust is concerned; the parental duty becomes the just measure of their duty, and they ought to assume as much of the parental feeling and interest as possible. The standard of good conduct in a teacher, is the same by which a good, wise, and judicious parent is guided in the management and instruction of his children. With this duty, too, the rights of the parents over their children, so far as is necessary to the discharge of the duty, are transferred to the instructor. The relation of guardian and ward is another substitute for the parental relation, instituted to supply its place, however imperfectly, in case of the death, insanity, or other disability of one or both parents. In assuming the relation, the guardian undertakes to perform the parental duties, and becomes invested with the rights of the parents.

It is equally the right and the duty of parents, during the earlier years of their children, to control them, and to subject them to discipline within the bounds of a reasonable discretion. The sacred writers consider government among the most indispensable duties of parents, and more than one of them has noticed the want of it as among the most common causes of the ruin of children and the overthrow of families.* The wisest of men says, "He that spareth his rod hateth his son; but he that

* 1 Samuel iii. 13; Proverbs xix. 18; xxix. 15.

loveth him chasteneth him betimes.”* Again, “Correct thy son, and he shall give thee rest ; yea, he shall give delight unto thy soul.”† See especially Hebrews, xii. 6 – 11, where St. Paul concludes thus, “No chastening for the present seemeth to be joyous, but grievous ; nevertheless afterward it yieldeth the peaceable fruit of righteousness unto them which are exercised thereby.”‡

In the present relaxed state of domestic discipline, I can only cite these precepts on the ground of their *being divinely sanctioned*. They must wear an air of strictness and severity, to which, in these days, we are not accustomed. As a writer on morals, however, I have no choice. My duty is, *to make truth the burthen of my instructions* ; — these precepts are not *mine*, they are a part of the oracles of divine truth.§ Even the precept,

* Prov. xiii. 24.

† Prov. xxix. 17.

‡ See also Rev. iii. 19.

§ The following extract from a very valuable work, with which the author was not until lately acquainted, contains sentiments so well calculated, in his judgment, to be useful at *the present time*, that he has determined to subjoin it.

“That good sense,” says the writer, “which forms the sole basis of a system of education composed for the age of Locke,” (he had been speaking of Locke’s writings on education,) “is a material of too common and too coarse a nature for the fabric of those refined and subtile theories, which are fitted to engage the attention of an age, where the new, the striking, and the brilliant are alone admired and sought after. Rousseau, in an evil hour, vented his paradoxes on education ; — the man who sent his own children to the foundling hospital, and who failed, as he owns himself, in the only trial he made to educate the child of another. But he knew that a singularity of opinion was the sure road to distinction as an author ; and he determined to frame a theory, which should in every thing be opposite to the common notions of mankind. His organs, as he tells us, were so formed, and his mind so constituted, as to render him incapable of thinking and judging like other people : ‘Je ne vois point comme les autres hommes ; il y a long temps qu’on me l’a reproché ; mais depend-il de moi de me donner d’autres yeux, et de m’affecter d’autres idées ?’ (Préface d’Emile.) And feeling and reasoning, as he acknowledges, like no other man, he has the modesty to presume, that he alone is right, and all the rest of the world in an error. The ordinary methods of education (according to him) are all completely wrong ; the very opposite course to the common is almost always the right one. ‘Prenez le contrepied de l’usage, et vous ferez presque toujours bien.’ (Emile, Tom. I. p. 130.) Thus, because the influence of habit, one of the most powerful principles of our nature, is universally resorted to in the ordinary systems of education, this is sufficient reason with Rousseau for utterly exploding its application ; ‘Habits,’ says he, ‘ought not to be impressed on children ; for they restrain the natural freedom of the mind ; — La seule habitude qu’on doit laisser prendre à l’enfant, est de n’en contracter aucune.’

“Train up a child in the way he should go, and when he is old he will not depart from it,”* implies both *the right and the duty* of parents to train him up in the right way. In truth, the father of a family is made responsible for all the sin, which it is in his power to prevent, within his domestic circle. Abraham is commended for “commanding his children and his household after him to keep the way of the Lord, to do justice and judgment.”† Joshua resolved, both for himself and his *house*, to serve the Lord;‡ and the house of Eli was destroyed with an overwhelming destruction, “for the iniquity which he *knew*,” says the sacred historian, “because his sons made themselves vile, and

(Idem, Tom. I. p. 62.) The enforcement of the parent's or the tutor's authority, and the obedience of the child, is generally supposed the most essential and primary step to be gained. ‘No,’ says Rousseau; ‘authority and obedience are servile principles, fitted only to make slaves and tyrants. Never cross your pupil in any thing, and then you will be sure to see him such as he is; when you suffer children to act as they please, their own mistakes will sufficiently correct them; — Sans lui defendre de mal faire, n’offrez jamais à ses volontés indiscrettes que des obstacles physiques, ou des punitions qui naissent des actions mêmes, et qu’il se rapelle dans l’occasion.’ (Idem, Tom. I. p. 110.) It has been generally supposed, that the surest hold of the mind of a child is gained, by persuading him, that your precepts are reasonable. ‘Never reason at all with a child,’ says Rousseau; ‘he cannot understand you; if he were capable of reasoning, he would have no need of education; by using argument, you only teach him to be satisfied with words instead of ideas, and make him disputatious and self-sufficient; — C’est commencer par la fin. Si les enfans entendoient raison, ils n’auroient pas besoin d’être élevés. C’est les accoutumer à se payer de mots, à contrôler tout ce qu’on leur dit, à se croire aussi sages que leurs maîtres.’ (Idem, Tom. I. p. 120.) As our early impressions are the most lasting, it has been usually thought of consequence to instil into the infant mind the first great principles of religion; — ‘What,’ says Rousseau, ‘would you make your son the creature of prejudice? Leave his mind to its own operations; and, when he is capable of distinguishing between truth and error, he will choose a religion for himself. At fifteen, my pupil does not know that he has a soul; and perhaps it is early enough, if he gains that piece of knowledge at eighteen.’ (Idem, Tom. II. p. 215.) It might naturally be supposed, that the bare statement of such paradoxes were sufficient to expose their absurdity; if experience did not prove, that there is no doctrine too wild and extravagant for the caprices of the human intellect; and the opinions of Rousseau, defended with the most ingenious sophistry, and varnished with the most fascinating eloquence, have had an extensive and pernicious influence on vain and superficial minds.

“But to the public in general, Rousseau had shown, that the subject of edu-

* Prov. xxii. 6.

† Genesis xviii. 19.

‡ Joshua xxiv. 15.

he restrained them not.”* St. Paul says, moreover, that “a bishop must be one that ruleth well his own house, having his children in subjection with all gravity ; for,” he subjoins, “if a man know not how to rule his own house, how shall he take care of the church of God.”† At the same time, parents are to govern their children equitably, wisely, kindly, and affectionately. “Fathers provoke not your children to wrath, but bring them up in the nurture and admonition of the Lord.”‡

As children approach the age of discretion, this parental right of control and discipline is softened down into a right of advising and counselling them. The wisest of men held this right of parental counsel and advice in the highest estimation, as is manifest from the frequency with which he adverts to it.§ Indeed, no small part of the Proverbs of Solomon is in the form of parental advice and counsel, given to the young on the chief dangers, which beset their way, and against which they need to be guarded, by reason of the strength of their passions and their want of experience. The author is not satisfied with commending wisdom in the abstract to the young, in the most persuasive and moving terms, — he does much more ; the blandishments of “the strange

cation admitted of much variety of sentiment ; that it was a rich field for novelty and ingenuity of thought ; and that, with these recommendations, the importance of the object would insure attention to whatever was plausibly and ingeniously written in that department. New systems of education, controversial treatises in support and refutation of these systems, and books for the instruction of children, framed on all their opposite principles, now issued from the press in endless succession. The infant man seemed to be regarded as a subject of perpetual experiment, on which every daring empiric was at liberty to try the effect of his alterative processes, his stimulant or his sedative medicines, as his fancy prompted. In some of these systems, the primary engine with the parent or preceptor is deceit. A child is to be cheated into every thing ; he is to be wheedled into learning under the mask of play ; into obedience, under the appearance of following his own inclination ; and, by a variety of artful contrivances and well-laid plots, he is to be slyly trepanned into virtue and good morals. According to an opposite theory, nature is to be the sole guide, and the province of the parent or tutor is, not to give impressions, but to guard against them,” &c. (Memoirs of the Life and Writings of Lord Kames, by Alexander Fraser Tytler (Lord Woodhouselee), Vol. II. pp. 286–292.) I might quote several pages more from this writer, equally interesting, if my limits permitted.

* 1 Samuel iii. 13. † 1 Timothy iii. 4, 5. ‡ Eph. vi. 4 ; Col. iii. 21.

§ See Proverbs, *passim*.

woman, subtile of heart, whose house is the way to hell, going down to the chambers of death ;”* the importunities and craft of the wicked of every kind, the enticements of wine and strong drink, the seductions of sloth, the value of industry and integrity, the opposite ways and end of the righteous and of the wicked, the use and abuse of the tongue, the sins of pride, avarice, fraud, and oppression, are all spread out as on a map before the young, by this author ; — so that, to use his own illustration, if, amid such advice and counsel, the young man is still so much without discretion as to be *caught*, he is as simple as the bird caught in the snare which itself has seen spread before its own eyes.†

The right of parental advice is especially important in regard to two particulars on which the welfare and happiness of children very much depend ; to wit, the choice of the employment they are to pursue in life, — and the connexions in marriage which they are disposed to form. In both these particulars, parental advice, timely and judiciously given, may be of the greatest benefit.

Where there is nothing to prevent, reasons of convenience will lead the sons to pursue the employment, which their father has pursued before them. This is the natural course and tendency of things, and it is probable that nine sons in ten engage in the employment of their father. But sometimes this is inconvenient, unsuitable, and otherwise undesirable. In giving advice, the physical endowments of the son, his natural genius and temper, his education, the circumstances of the times, the natural tendencies and probable effects of the employment or profession, and, most of all, *his own inclination*, should be consulted and kept fully in view. Children seldom do well in an employment into which they have been forced or over-persuaded. If their partialities are gratified in this most important of all their interests, the choice of their profession, they feel themselves to be thrown upon their own responsibility, and to be committed, in honor to their parents, to justify the choice they have made by their good conduct and success. It is all-important, that they should feel the full force of this personal responsibility ; it is the

* Prov. vii. 5, 10, 27.

† Prov. i. 17.

chief encouragement and spring of the excellence at which every youth ought to aim. Without this self-responsible feeling, this self-reliance, this main spring of the character, as it may be called, a high standard of excellence will not often be attained. Any interference on the part of parents beyond mere suggestions, advice given in a spirit of moderation and candor, and information which, by reason of their youth and inexperience, they cannot have had the means of obtaining for themselves, impairs, if it does not destroy, this self-reliance and self-responsibility ; and indifference to the attainment of excellence, discouragement, broken hopes, and ultimate failure are the too common consequences. The more delicately and judiciously, and in general the more indirectly, this right of advice is used, in influencing a son's choice of his profession, the more beneficial will be its effect. Much more, too, depends on the manner in which the advice is given, than on the advice itself.

The same observations, in substance, apply to the other particular, on which the advice and counsel of parents is usually supposed to be most valuable, — the marriage connexions which their children may be inclined to form. There should be the same delicacy of interference, and the same caution not to impair the self-reliance and personal responsibility, on which I have before enlarged. And it must not be forgotten, that, in this most intimate of all human relations, so much of the happiness of the parties depends on their personal preference of one another, that any but the most delicate and cautious interference must be attended with the utmost hazard of great and enduring evil. Still there may be cases, both in the choice of a profession and in the forming of marriage connexions, in which the direct and decisive interference of parents is justifiable, and may be useful. Such are extreme cases ; no minuteness of remark or description can reach them, and they must be acted on according to the best judgment of the parents under the peculiar circumstances.

But the duty of parents towards their children is not finished, when they have given them maintenance, education, advice in the choice of a profession, and aid in qualifying themselves for the pursuit of it. Without some outfit with which to begin, a young man will find it extremely difficult to make his way in the

world. The competition of other persons just entering the same branch of business with himself, and, still more, of those well established in it, must be met ; experience must be acquired, and the confidence of the public, always slowly and reluctantly given, must be secured. These remarks apply particularly to the case of sons ; but I believe it may be said with great truth, that even a daughter acquires additional dignity and respect in the eyes of her husband, if she brings something to the common stock with which they are to begin the world.

In discharging this duty of aiding their children, the ability of parents must be consulted, and of course, the duty itself, as in all other cases, must be limited by the ability to discharge it. When the ability is not wanting, the aim of the parents should be, to give aid enough to *encourage*, without *relaxing*, the personal exertions, or impairing the self-reliance, of their children. A strong conviction of the necessity of self-reliance and personal endeavours, combined with sufficient parental aid to stimulate and encourage, is the most desirable and promising outfit in life.

It is sometimes alleged, that parental aid in the outset of life is of no advantage ; and, to sustain this opinion, those instances are cited in which young men, who began life with a large outfit, have been overtaken and outstripped in their career of usefulness, honor, and success, by those who began life with no other aid than a parental blessing, a good conscience, hope in Heaven, and free opportunity on earth. Without delaying to discuss this question, it may be observed, that both these classes of persons attract our special attention. In the latter we admire the ardor, firmness, and perseverance, which have carried them through so many discouragements ; but, in our admiration, we forget how many young men of the best promise, sink under the difficulties which beset their way, and, for the want of a little encouragement, come to a premature death, and bury their blasted hopes and expectations in the same grave with themselves. If some fail by setting out in life with *too much aid*, it is probable that a manifold greater number are ruined for *want* of some timely aid.*

* See 2 Corinthians xii. 14.

It is the duty of parents, in making arrangements for the distribution of their estates, at their death, to have special regard to the exigencies of their children's situation. If a child has been successful in business, and has amply provided for himself, or is otherwise well provided for, there is no reason why further provision should be made for him. But success does not always attend on merit; and the less successful members of a family are they, who, provided they are deserving, are fairly entitled to be provided for in the will of the parents. The claims of married daughters, in this respect, are to be placed on the same footing with those of sons; but the case of single daughters is *peculiar*, and deserves more than a passing notice. Especially, a daughter who is single, and who from age, personal defects, or other circumstances, may be expected to remain so, may justly claim a more than ordinary share of the anxiety and solicitude of parents. There are almost no lucrative employments in which ladies can honorably engage, and for these they may be unqualified; it must, therefore, be one of the first wishes of a good parent's heart to secure to a single daughter a comfortable and honorable independence. There may be children in a family afflicted with idiocy or alienation of mind. Of course, these must take precedence of all the other children in their claim upon the parental estate. A parent may rightfully disinherit a child in extreme cases;—but for these no definite rule can be prescribed.*

2. The duty of children to honor their parents is made the subject of the fifth commandment; and from its being thus ranked with the duty of worshipping one God and him only, and with the obligation to respect the life, chastity, and property of our neighbours, we may well infer its importance. “Honor thy father and thy mother,” says St. Paul, “which is the first commandment with promise.” † The promise, when amplified by St. Paul, is, “that it may be well with thee, and that thou mayest live long on the earth.” ‡ The term “honor,” is admirably chosen, comprising, as it does, affection, respect, obedience, and

* See Brown's *Philosophy of the Human Mind*, Vol. III. p. 366, 367.

† Ephesians vi. 2.

‡ *Idem* vi. 3.

whatever else can contribute to the comfort and gratification of parents. A long and prosperous life is promised to children who render this honor to their parents, a reward more earnestly and universally coveted by mankind, than riches, beauty, glory, or any other object which they are accustomed to desire. And that God, in his providence, is accustomed to fulfil this promise in its *literal import*, has been believed by many persons who have had enlarged experience and extensive opportunities of observing human affairs.* Dr. Dwight says, “No small measure of prosperity seems ordinarily *interwoven* with a course of filial piety. The comfort which it insures to parents, the harmony which it produces in the family, the peace which it yields to the conscience, are all essential ingredients of happiness. To these,” continues he, “it adds the approbation of every beholder, the possession of a fair and lasting reputation; the confidence and good-will of every worthy man; and of consequence, an opportunity of easily gaining those useful employments which worthy men have to give. Beyond this, it naturally associates with itself that temperance, moderation, and sobriety, which furnish a solid foundation for health and long life. On the tide of Providence, multiplied blessings are borne into its possession, at seasons when they are unexpected, in ways unforeseen, and by means unprovided by its own forecast, which are often of high importance; which altogether constitute a rich proportion of prosperity, and which usually are not found by persons of a contrary character.” † I may add, that the practice of the moral virtues, to which the honoring of parents naturally leads the way, contributes to health and length of life, at least as much as air, climate, local situation, and other physical circumstances on which we more habitually rely.

Again, St. Paul says, “Children, obey your parents in the Lord, for this is right. Obey your parents in all things, for this is well pleasing unto the Lord.” ‡ It may be well to expand the apostolic injunctions into two or three particulars.

Children are required to regard their parents with special

* See Dwight's Theology, Vol. IV. p. 98.

† Ibidem.

‡ Ephesians vi. 1; Colossians iii. 20.

affection, respect, and reverence. They are to remember and regard their parents as standing in the most venerable, and the most endearing of all earthly relations to them; as those to whom, under God, they owe every thing they are, and every thing they hope to be. They are to regard them as the persons to whose kindness, care, and government, they have been committed by God himself. They are to consider them as the most affectionate, the most faithful, the most confidential, the most persevering, the most watchful, and the most disinterested of friends.*

Again, children, during their early years, are to render their parents a prompt and cheerful obedience; and, when they come to years of discretion, and indeed, at every period of life, to manifest a marked respect for their persons, regard for their advice, and deference to their wishes. Disobedience to parents is ranked by St. Paul with envy, malignity, deceit, and even with murder and destitution of natural affection.† It is in the order of nature for parents to command, and for children to obey. No conduct, perhaps, is more severely denounced in Scripture, than disobedience and disrespect to parents.‡

Moreover, children are to give their parents the solace and comfort of their conversation and company, when, in the order of nature, they are visited with the decay and manifold infirmities of declining years. Parents have watched over the helplessness, and borne with the infirmities of their children, when in their infancy; and it is but the reciprocal duty of their children, to watch over the decline, and sustain the sinking spirits of their parents, when, as the wisest of men says, “the evil days come, and the years draw nigh in which they can have no pleasure in them.”§

Furthermore, children are sacredly bound in conscience to meet, as far as possible, the expectations formed of them by their parents, in after life; by which alone they can make a full return for the care, the expense, and the anxieties which their nurture has cost their parents. Writers of all ages, and of all countries, have taught us, with a united voice, that, in the eye of all man-

* Dwight's Theology, Vol. IV. p. 87.

† Romans i. 29-31.

‡ Deuteronomy xxi. 18-21; Proverbs xxx. 17.

§ Ecclesiastes xii. 1.

kind, no objects can be more amiable or more delightful than dutiful and virtuous children, who, in after life, fulfil the promise of their early years. This, and this alone, is honoring their parents in *the full meaning of that term*, — and this alone is rendering to parents the true “*pretia nascendi*” of the classical writers. “He who,” says Dr. Brown, “in the fulfilment of every filial duty, has obeyed as a son should obey, and loved as a son should love, may not, indeed, with all his obedience and affection, have been able to return an amount of benefit equal to that which he has received ; but, in being thus virtuous, he has at least made the return that is most grateful to a virtuous parent’s heart. He has not been unsuccessful in that contest of mutual love, in which, as Seneca truly says, “it is happy to conquer, and happy to be overcome.”*

SECTION III.

OF BROTHERS, SISTERS, AND MORE REMOTE RELATIONS.

The more remote domestic relations, whether of consanguinity, (*blood*,) or affinity, (*marriage*,) are also worthy of being respected and carefully cherished. In regard to the brothers and sisters of the same household especially, two particulars ought to attract and receive notice and illustration.

1. This relation furnishes the natural occasions of permanent friendships and intimacies, which, in after life, soften the cares, relieve the anxieties, enlarge the sphere of enjoyment, and often contribute to the success and usefulness of life itself. The recollections of the brothers and sisters of the same family, if the circumstances of their birth and nurture have been but ordinarily favorable, must be a bond, in all after life, of the strongest mutual sympathy, interest, and attachment. Their remembrances of one another go back even to the caresses and endearments of the nursery, in which their infant pains, vexations, and peevishness were soothed by the same gentle voice of maternal tenderness and love, — in which they were taught to lisp their earliest

* Philosophy of the Human Mind, Vol. III. pp. 372, 373.

prayers, — in which their first discontents and murmurings were hushed, — and in which their childish pastimes were, in common, shared and enjoyed. Again, the rude sports, frolics, and adventures of the neighbouring school, in which they have mingled with the keenest zest, with its early trials, competitions, mortifications, and successes, must ever be subjects of the most vivid mutual reminiscences and sympathies. They have had, too, a common interest in every event which has befallen them, and in every person who has excited either their regard or aversion ; — they have honored with a common honor those to whom, by the commandment, filial honor was due ; and, perhaps, have mourned with a common grief over the remains of one or both of those, whose death has been to them the most poignant and lasting of all their sorrows. When one member of the common household has suffered, all the other members have suffered with him. Their paths, moreover, however different in after life, were once the same. Each can witness to what each learned from a father's anxious counsels, and each can respond to the other's remembrance of the ever-varying, never-ceasing expressions of maternal kindness. Each can speak of the other's early associates ; each can recall to the memory of the others, whatever, in the fresh spring season of life, made the parental home joyous or sorrowful ; the farewell and the return ; the plans for the departing, and the intelligence from the distant ; the success and congratulation, the disappointment and sympathy ; the honored guest, and the habitual inmate ; the health and the sickness ; the bereavement and the blessing ; the festive entertainment, and the funeral mourning. These common pains, joys, sorrows, endearments, and sympathies of the early years of children of the same family, are, I may well repeat, the natural occasions of intimate and permanent friendships in all after life.*

2. The relation of brothers and sisters of the same family, furnishes much more than the natural *occasions*, — it furnishes the natural *foundation*, of permanent intimacies and friendships. They sustain a common relation to common parents, to whom each renders one of the most acceptable of all services, by ex-

* See Dr. Palfrey's Sermons, p. 327.

tending his affection to those with whom he is united by the ties of so intimate a relationship. In reviewing the circumstances which tend to strengthen this tie, Cicero adverts even to the common sepulchre, that is at last to enclose the bodies of the members of the same family.* It is a touching reflection, that the bonds of affection and concord among members of the same family, should derive strength from the common receptacle which is destined at last to contain their mortal remains. It is an affecting image and symbol, by which domestic unanimity and harmony are powerfully taught. Every dissension of man with man excites in us a feeling of painful incongruity. But we feel that there is a peculiar incongruity in the discord of those whose interests are indissolubly the same, whom one roof has protected during life, and whose dust is at length to be mingled in a common tomb.†

The duties of brotherhood and sisterhood, then, are the duties of a cordial intimacy and friendship, rendered more sacred by their common relationship to the parents from whom they have sprung, and to whom they owe common duties, as they have been the objects of common hopes, cares, labors, and anxieties. A brother has large resources in a brother's attachment; a sister in a sister's. The mutual relation they bear, and the fact, that, the prosperity of the household being a common cause, the honor or shame, the success or failure, of any member of it concerns the rest, — authorize each to interest himself with the other by advice and remonstrance, or for him by interference with yet other persons. Moreover, each knows the other's character and history, his advantages and encouragements, deficiencies and dangers. A brother, therefore, can enter fully into a brother's feelings, — a sister into a sister's; and thus their mutual kindness may usually be better directed, more seasonable, and in various ways more acceptable, and their sympathy, advice, or aid more profitable, than that of other friends.

A difference, in certain respects, has been remarked between the affection of a brother and sister for one another, and that which subsists between a brother for a brother, and a sister for a

* De Officiis, Lib. I. c. 17. † Brown's Philosophy, Vol. III. pp. 374, 375.

sister. In truth “the relation of brother and sister to one another, is one of the most beautiful which Providence has instituted ; forbidding, from the different pursuits of the two sexes, any thing of that rivalry and interference, which is so often the bane of friendship among other equals, and without the possibility of the sentiment being tainted with any alloy of passion ; finding scope for that peculiar tenderness, strength, and trustingness of attachment, which belong to the relation of delicacy, dependence, and retirement on the one part, to energy, self-reliance, and enterprise on the other. Nothing is more delightful than to witness this relation sustained, as God, when he arranged it, designed that it should be. A mutual confidence and esteem, and sense of privilege in each other’s regard, evinced and renewed in every daily communication ; the sister watching the brother’s growing virtues and consequence with a modest pride, while she checks his adventurousness with her well-timed scruples, and finds for him a way to look more cheerfully on his defects,—the brother, looking on the sister’s graces with a fondness that would be like a parent’s, only that it is gayer, more confident, and more given to expression, and studying with ambitious assiduity to requite the gentle guidance to which his impetuous spirit delights to yield itself ; the one zealous and constant in all acceptable kindnesses, in her secluded sphere, which God has given her an intuitive sagacity to invent ; the other delighting to communicate all means of improvement, which his different opportunities of education have prepared him to offer ; the one gratefully conscious of a protection as watchful as it will be prompt and firm ; the other of an interested love, which, whether in silence or in words, can speak his praises the most movingly, where he may most desire to have them spoken. Is any thing in the relations appointed by Him, who for wise and kind ends ‘hath set the solitary in families,’ more delightful to witness, than such a brotherly and sisterly devotion ? If there be, it is what remains to be added to the picture. It is seen, when they who are thus united make the younger members of their band a common care, and turn back to offer the gentle and encouraging hand of a love more discreet than that of mere equals, and more familiar than the parental, to lead their childish,

unpractised steps along that path of filial piety, of fraternal union and religious wisdom, which themselves, walking together in it, have found throughout a way of such pleasantness and peace.”*

The general duty of cherishing the more remote domestic relations which we sustain, has been before adverted to, and nothing seems to call for any considerable enlargement on this part of the subject. Without any specific causes of alienation, it is inevitable, in the natural course of events, that families, as they branch off from the parent stock, should be gradually more and more withdrawn from the society, influence, neighbourhood, and consequently sympathy of each other, led by interest, ambition, the love of change, and other inducements. This breaking up of the ties of kindred, however, and scattering of kindred families, will always depend very much on the condition of society, and on the importance of mutual aid.

In a state of society in which the protection of law is feeble, and it is necessary, in consequence, for many to unite in the common defence, the families that spring from the same original continue to cling to each other for aid, almost as if they lived under the same roof. It is, in fact, one wide-spread family, rather than a number of families; the history of the clan, in its most remote years of warfare and victory, is the history of each individual of the clan; and the mere remembrance of the exploits of those who fought with one common object, around their common representative and ancestor, is like the feeling of the paternal or filial relation itself, prolonged from age to age; while the affection thus flowing from the remembrance of other years is continually strengthened by a sense of the important services, which each individual is still able to render to the whole on occasions of similar peril.

In other circumstances of society, the necessity of this mutual aid is obviated by the happier protection of equal law; and, objects of new ambition separating the little community into families, that have their own peculiar interests, with little if any necessity for reciprocal assistance, the duty of giving such assist-

* I am indebted for this beautiful paragraph to “*Sermons on the Conditions and Relations of Private Life*,” by Dr. Palfrey, Professor of Biblical Literature in Harvard University; p. 333.

ance is at once less important, and no longer receives any aid from the powerful circumstances of association, which in a different state of manners, rendered the most distant relative an object of almost sacred regard.*

“It is not many years ago,” says Dr. Adam Smith, “that, in the Highlands of Scotland, the chieftain used to consider the poorest man of his clan as his cousin and relation. The same extensive regard to kindred is said to take place among the Tartars, the Arabs, the Turkomans, and I believe among all other nations who are nearly in the same state of society in which the Scots Highlanders were about the beginning of the present (eighteenth) century. In commercial countries,” continues he, “where the authority of law is always perfectly sufficient to protect the meanest man in the State, the descendants of the same family, having no such motive for keeping together, naturally separate and disperse, as interest or inclination may direct. They soon cease to be of importance to one another; and, in a few generations, not only lose all care about one another, but all remembrance of their common origin, and of the connexion which took place among their ancestors. Regard for remote relations becomes, in every country, less and less according as this state of civilization has been longer and more completely established. It has been longer and more completely established in England than in Scotland; and remote relations are, accordingly, more considered in the latter country than in the former, though, in this respect, the difference between the two countries is growing less and less every day.

“Great lords, indeed, are, in every country, proud of remembering and acknowledging their connexion with one another, however remote. The remembrance of such illustrious relations flatters not a little the family pride of them all; and it is neither from affection, nor from any thing which resembles affection, but from the most frivolous and childish of all vanities, that this remembrance is so carefully kept up. Should some *more humble*, though perhaps nearer kinsman, presume to put such great men in mind of his relation to their family, they seldom fail to tell

* Brown's Philosophy, Vol. III. p. 375.

him, that they are bad genealogists, and miserably ill-informed concerning their own family history. It is not in that order, I am afraid," concludes this beautiful writer, "that we are to expect any extraordinary extension of what is called natural affection."*

SECTION IV.

RELATION OF MASTER AND SERVANT.

The last of the domestic relations, the moral duties of which I am to explain and illustrate, is that of master and servant. Servants have been reckoned a part of the families of their masters from the earliest times,† and the relation has been familiar in every country. Servants have always comprehended no small portion of the entire human race;—their very number, therefore, among other circumstances, gives them a strong claim to the notice of the moral philosopher. And it may be remarked, that there is scarcely any one of the relations of life, the duties of which between the respective parties, are more clearly defined, or more fully insisted on, by the sacred writers, than in the case of master and servant.

“Servants, obey in all things your masters according to the flesh; not with eye-service, as men-pleasers; but in singleness of heart, fearing God. And whatsoever ye do, do it heartily, as to the Lord and not unto men; knowing, that of the Lord ye shall receive the reward of the inheritance; for ye serve the Lord Christ. But he that doeth wrong shall receive for the wrong which he hath done; and there is no respect of persons.”‡ Again, St. Paul says, “Exhort servants to be obedient unto their own masters, and to please them well in all things; not answering again; not purloining, but showing all good fidelity; that they may adorn the doctrine of God our Saviour in all things.”§ And again, “Let as many servants as are under the yoke, count their own masters worthy of all honor, that the name of God and his doctrine be not blasphemed. And they that

* Theory of Moral Sentiments, Vol. II. pp. 25 – 29.

† Gen. xxiv. 2, 5, 27, 34, &c. ‡ Col. iii. 22 – 25. § Titus ii. 9, 10.

have believing masters, let them not despise them, because they are brethren ; but rather do them service, because they are faithful and beloved, partakers of the benefit. These things teach and exhort.”* “ Servants, be subject to your masters with all fear ; not only to the good and gentle, but also to the froward ; † for this is thankworthy, if a man for conscience toward God endure grief, suffering wrongfully. Let every man abide in the same calling wherein he was called. Art thou called, being a servant ? Care not for it, but if thou mayest be made free, use it rather. For he that is called in the Lord, being a servant, is the Lord’s freeman.” ‡ Still again St. Paul says, “ Servants, be obedient to them that are your masters according to the flesh, with fear and trembling, in singleness of your heart, as unto Christ ; not with eye-service, as men-pleasers ; but as the servants of Christ, doing the will of God from the heart ; with good-will doing service, as to the Lord and not to man. Knowing that whatsoever good thing any man doeth, the same shall he receive of the Lord, whether he be bond or free.” §

“ And ye masters, do the same things unto them,” continues St. Paul, “ forbearing threatening ; knowing that *your master* also is in heaven ; neither is there respect of persons with him.” || Again St. Paul says, “ Masters, give unto your servants that which is just and equal, ¶ knowing that ye also have *a master in heaven.*” **

Servants are of several kinds, distinguished by their employments, or by other circumstances in their condition. Mr. Reeve enumerates “ five kinds.” †† But into however many classes they may be divided, the apostolic instructions are alike applicable to them all. They are to obey their masters in singleness of heart, and to please them, not rendering them eye-service, doing their business heartily, without purloining or answering again, being faithful to their masters, and counting them worthy of all honor, contented with their calling, — that they may adorn the doctrine of God our Saviour in all things. And masters are

* 1 Tim. vi. 1, 2.

† 1 Peter ii. 18, 19.

‡ 1 Cor. vii. 20–22.

§ Eph. vi. 5–8.

|| Eph. vi. 9.

¶ “ *Servis justa præbenda,*” says Cicero, *De Officiis*, Lib. I. c. 13.

** Col. iv. 1.

†† *Domestic Relations*, p. 239.

to do their corresponding duties, remembering that there is no respect of persons with God. They are not only to forbear threatening, but to give their servants a just and equitable share of the conveniences and comforts of life, according to the proceeds of their labor, always keeping in mind, that they also have a Master in heaven, to whom they are responsible for their behaviour in this relation, which is so liable to be abused, and the duties of which are so liable to be neglected.

A division of servants into three, instead of five classes, is sufficiently accurate for my present purpose. 1. Apprentices. 2. Servants who become such by their own contract. 3. "Servants born in the house, or bought with the money," of their master.*

1. Apprentices are persons bound to a master, to learn some art or trade. They may be bound to learn the trade of husbandry as well as any other. Apprentices are usually bound to their masters by their parents or guardians; and they are bound, that the apprentice perform that which they contract he shall do. Whatever wages an apprentice earns, belong to the master; and, if an apprentice should leave his master, and earn wages and receive them, and purchase any thing with them, it would belong to the master. The right, which the master acquires to the service of his apprentice, cannot be rightfully assigned to another person. It is incompatible with the nature of the contract, which implies special confidence reposed in the master. The master is one in whom the parent of the apprentice has such confidence, as induces him to place his child under his care. It is a *personal trust*, which cannot in any case be assigned to another. And as it is a personal trust, if the master dies, the executor cannot retain the apprentice. The trust dies with the master, for there is no probability that the executor will be able to instruct the apprentice in his trade.† Apprentices, too, are to be employed entirely in the profession or trade which it is intended they shall learn. Instruction is their wages; and to deprive them of the opportunities of instruction, by taking up their time with occu-

* Genesis xiv. 14; xvii. 12.

† Reeve's Domestic Relations, pp. 341 - 345.

pations foreign to their business, is to defraud them of their wages.*

2. Servants by their own contract. The master's authority over this class of servants extends no further than the terms, or equitable construction, of the contract will justify. Their treatment, as to diet, discipline, and accommodation, the kind and quantity of work to be required of them, the intermission, liberty, and indulgence to be allowed them, must be determined, in a great measure, by custom ; for, where the contract involves so many particulars, the contracting parties perhaps express a few of the principal, and, by mutual understanding, refer the rest to the known custom of the country in like cases.†

A master may command his servant to do whatever he may rightfully do himself ; but a servant is not bound to obey the unlawful commands of his master, nor is the master's command any legal justification of the servant in doing wrong. In a moral point of view, however, it is a palliation of the wrong, inasmuch as the master may be presumed to be as much superior to the servant in education and influence, as he is in his station. The master is bound by the act of his servant, either in respect to contracts or injuries, when the act is done by authority of the master. If the servant does an injury fraudulently, while in the immediate employment of his master, the master as well as the servant is liable in damages ; and he is also liable, if the injury proceeds from negligence, or want of skill, in the servant ; for it is the duty of the master to employ servants who are honest, skilful, and careful.

But the master is only answerable for the fraud of his servant, while he is acting in his business, and not for fraudulent or injurious acts or misconduct in those things, which do not concern his duty to his master, and which, when he commits, he steps out of the course of his service. When the servant quits sight of the object for which he is employed, and, without having in view his master's orders, pursues the object which his own malice suggests, he no longer acts in pursuance of the authority given him, and such an act is deemed, both in law and morals, to be so

* See Paley's Moral and Political Philosophy, p. 97.

† Idem, p. 96.

far a wilful abandonment of his master's business. If a servant employs another servant to do his business, and in doing it the servant so employed is guilty of an injury, the master is still liable. But this principle is applicable to those cases only, in which the nature of the business is such as to *require the aid of subordinate persons*, and then there is an implied authority to employ such persons.*

The moral and legal responsibility of the master depends, too, in some degree, on the nature of the service. Inn-keepers and common carriers, for instance, are more extensively liable for the misconduct of their servants, than other masters. If the servants of an inn-keeper should purloin the goods of his guest, the master is liable; and the case is the same, if the servants of the common carrier embezzle the goods that are intrusted to their master. This is a doctrine founded in the best policy; for, in these cases, guests, and those who employ common carriers, are under the necessity of trusting them with their property, without reposing any special confidence in them; for they are generally strangers to them; and the nature of the business of inn-keepers and common carriers is such, as gives them great opportunity for collusion with their servants in robbing their employers. To prevent this mischief, they are both legally and morally made liable for the fault of their servants; and, in such cases, when the master of other servants would not be liable. †

The relation of master and servant is a single instance of the far more general relation of superior and inferior; and the superior party, being always under the very strong temptations of interest, and of that *love of ruling*, which is one of the universal infirmities of human nature, ‡ is in special danger of abusing the station which the Providence of God has assigned him, and ought, therefore, to be peculiarly on his guard. One of the ways, in which masters sometimes abuse their station, consists in de-

* Kent's Commentaries on American Law, Vol. II. pp. 209, 210.

† Reeve's Domestic Relations, p. 364. The author, in the three preceding paragraphs, has drawn aid from the law of master and servant, because, on this part of the subject, law, good morals, and sound policy, seem to him to coincide. He proposes to do the same when examining the relation of principal and agent in the next chapter.

‡ "Qui nolunt occidere quemquam, posse volunt," says Juvenal, Sat. X. 96.

frauding their servants of their wages ; and, when this is not done, the smaller abuse is too frequently committed, of delaying the payment of them, much to their inconvenience, annoyance, and injury. The allotment of servants of every description is sufficiently humiliating in itself ; and the wages, which their contract entitles them to expect, is that “hope of reward which sweetens their labor.” This small reward ought to be promptly and cheerfully paid. The Hebrew law enjoined immediate payment of servants’ wages. It says, “The wages of him that is hired shall not abide with thee all night until the morning.”* Few sins are noticed by the sacred writers in more severe terms, than the defrauding servants of their wages. †

Bishop Jeremy Taylor, has, among the numerous subjects of his writings, treated of the duty of masters of families in respect to their servants, and I should do wrong, not to avail myself of his valuable directions. The quaintness of his style seems to give point to his sentiments. “The same care,” says he, “is to extend to all of our family, in their proportions, as to our children ; for as, by St. Paul’s economy, the heir differs nothing from a servant while he is in minority, so a servant should differ nothing from a child in the substantial part of the case ; and the difference is only in the degrees. Servants and masters are of the same kindred, of the same nature, and heirs of the same promises ; and therefore, (1.) Must be provided of necessaries for their support and maintenance. (2.) They must be used with mercy. (3.) Their work must be tolerable and merciful. (4.) Their restraints must be reasonable. (5.) Their recreations fitting and healthful. (6.) Their religion and the interest of their souls taken care of. (7.) Masters must correct their servants with gentleness, prudence, and mercy ; not for every slight fault, not always, not with upbraiding and disgraceful language, but with such only as may express and reprove the fault, and amend the person. But, in all these things,” continues he, “measures are to be taken by the contract made, by the laws and customs of the place, by the sentence of prudent and merciful men, and by the cautions and remembrances given

* Leviticus xix. 13. † Genesis xxxi. 7. 41 ; Jeremiah xxii. 13 ; Malachi iii. 5.

us by God ; such as that written by St. Paul, ‘ as knowing that we also have a Master in heaven.’ The master must not be a lion in his house, lest his power be obeyed and his person hated ; his eye be waited on, and his business he neglected in secret. No servant will do his duty, unless he make a conscience, or love his master ; if he does it not for God’s sake, or his master’s, he will not always need to do it for his own.”*

3. “ Servants born in the house, or bought with the money,” of their master. The greatest part of the servants mentioned in the Scriptures were of this third class.† And the rule prescribed by the enlightened and equitable understanding of Cicero, nearly two thousand years ago, for the treatment of servants of this description, continues to be applicable to their condition at this day ; “ *uti ut mercenariis, opera exigenda, justa præbenda ;*” ‡ that is, their masters are to treat them as they treat *their hired servants*, a suitable portion of labor is to be required of them, and just allowances of the necessaries and comforts of life are to be furnished them. Hence, on the ground of this ancient, just, and equitable rule of the great Roman moralist, the directions given by Bishop Taylor to masters, in the case of hired servants, become applicable to the class of servants whose case we are now considering. The duty of the master is to give them healthful and comfortable diet, clothing, and housing ; medical attendance and nursing when requisite, and moral and religious instruction ; since servants are co-heirs with their masters, of the hopes, the promises, the consolations, and the ordinances of the Gospel.§

In return for these, the servant is to give his labor, in singleness of heart, not with eye-service, counting his master worthy of all honor, that the name of God and his doctrine be not blasphemed. || The interest, too, as well as the duty of the master, will lead him to give *suitable protection* to his servants. It is, moreover, both his right and his duty to maintain suitable discipline over them. But he is to do this, remembering, that as he is a master over others on earth, so he has himself a Master in heaven, to whom he is responsible for the discharge of his

* Holy Living, p. 183.

† Michaelis’ Commentaries on the Laws of Moses, Dr. Smith’s translation, Vol. II. p. 155 – 191 ; Horne’s Introduction, Vol. III. 419 – 425.

‡ De Officiis, I. 13. § 1 Tim. vi. 1, 2 ; 1 Cor. vii. 20 – 22. || 1 Tim. vi. 1.

duties to his servants, and with whom there is no respect of persons. The relation of servants of this class to their masters, subsists for life ;— and they may well be regarded as travelling the journey of life in company, equal, in the sight of God, when they begin it, and again to become equal at the end of it, whatever may be the distinctions authorized by law, custom, or reason between them on the way.

Moreover, it is well for masters constantly to keep in mind, how responsible their situation is, in respect to their servants, how much they are intrusted to their judgment, discretion, and good feeling, — and under what strong temptations of passion, prejudice, and mistaken interest they are, to neglect or abuse the extensive discretionary power with which the laws of their country and the providence of God have invested them.*

* In this State (South Carolina), the Common Law of England and of the United States pertaining to the responsibility of a master for the acts done by his *hired* servant, is applicable without much if any qualification to the class of servants whose case is now under consideration. The court said, in 1832, after the most mature consideration of the subject, (see *Moore v. Drayton*, and *Austin, Pacher, & Co. v. Gordon*, Manuscript Records of the Court of Appeals, pp. 137–139,) “ A slave is an agent wholly irresponsible (except for crime) to any one but his master. Where a master employs slaves in any public employment, or trust, such as tradesmen, ferrymen, wagoners, patroons of boats, or masters of vessels in the coasting or river navigation, he undertakes, not only for their skill and faithfulness to all those who may employ them, but also for their general skill and faithfulness to the whole community. He constitutes them his agents for all those purposes, and the maxim, *Qui facit per alium, facit per se*, applies in full force to every act which they do in the course of his employment. If he would himself be liable for negligence or unskilfulness in the discharge of these vocations, it follows, that the act done by his agent, being his own act in point of law, must make him liable for all consequences which result from it. Unless this was the rule, the situation of the people of this State would be unfortunate indeed. They and their property might be injured and destroyed by the negligence or unskilfulness of a slave employed by his owner in some public capacity, and they could have neither remedy for the injury, nor could they compel the master even to punish his agent. There is no hardship in holding the master to be responsible ; for, when he selects a slave for any public employment, he ought to have every possible inducement held out to him to compel him to make a worthy selection. A slave who is permitted to pursue a public employment out of the immediate and personal control of his master, ought to be so worthy of his master’s confidence, that he would be willing to guaranty his prudence and skill to every one. This is the guaranty which is implied in every public employment committed to a slave.

“ The rule,” continues the court, “ is well settled in England, in the case of hired servants, and there can be no reason why it should not apply in the case

CHAPTER II.

THE RELATION OF PRINCIPAL AND AGENT.

THE kinds of agents most worthy of the notice of a moral philosopher are attorneys, brokers, factors, and other mercantile, manufacturing, and agricultural agents. I proceed to explain the nature of their duties.

of slaves. Indeed, reasons exist why it should be here extended to acts done wilfully in the course of a public employment, and to which the master's assent, from its nature, may be fairly implied."

In this decision, sound policy, law, reason, and morals, as they always ought, fully coincide. In truth these terms in their best sense, always mean the same thing. Besides this, we have two earlier decisions in this State, on the same subject, which may be seen in 2 Bay, p. 345, and 3 McCord, p. 400.

By our laws, too, the lives and limbs of servants (slaves) are protected against their masters and all others; — their masters are required by law to furnish them with sufficient food and clothing; — excessive and cruel chastisement is also punishable by law. The reason for enacting these provisions is declared by our legislature, to be, because "cruelty is not only highly unbecoming those who profess themselves Christians, but is odious in the eyes of all men who have any sense of virtue and humanity." Servants are further declared "to be under the *protection* of the masters and managers of plantations, as well as under their government;" and, to prevent the provisions of the act from being evaded in their "true intent and meaning," it is enacted, that, under circumstances calculated to favor evasion, "the master shall be adjudged guilty of the offence, unless he can make the contrary appear by *good and sufficient evidence*, or shall, by his own oath, clear and exculpate himself." (2 Brevard, pp. 240 — 242.) Moreover, any person who shall wilfully murder any servant (slave), must, by the laws of this State, answer for such servant's life by forfeiting his own. (Acts of 1821, p. 12.) I do not find any law, which requires the master to give his servants moral and religious instruction; but the Act of 7th June, 1712, secures baptism to all servants who may wish to receive that sacrament, and also the profession of the Christian faith; and the practice is nearly universal for masters, not only to permit, but to encourage their servants to attend divine worship on Sunday. Provision is made, too, for their accommodation, in almost, if not quite, all our churches. The Spanish laws, on this subject, may well be commended, which require masters to have their servants prepared for baptism by suitable instruction, and to pay a priest to explain to them the Christian doctrine, and to administer to them the holy sacraments of the Church. (See Royal Spanish Order, contained in Report of 11th of August, 1832, made to the House of Commons on the Extinction of Slavery throughout the British Dominions, folio, p. 241.)

Whoever undertakes another man's business, thereby makes it his own ; for he knows that the business was committed to him with that expectation. If, therefore, he has used such a degree of activity, and practised such caution, as the importance of the business, in his judgment, deserved ; that is, as much as he would have used, if the same interest of his own had been at stake, he has discharged the full measure of his duty, although it should afterwards be found, that, by greater activity, diligence, and perseverance, he might have transacted the business with greater advantage.* This is the general principle of the morals of principal and agent ; — but still some expansion and application of the principle cannot fail to be useful. This is the more manifest, because the relation of principal and agent is but one branch of the more comprehensive relation of employer and the person employed ; and, as all persons are either employers of others, or are employed by them, and often both, the rights and duties growing out of this relation belong, in substance, to all the modifications of the more comprehensive one, and ought, therefore, to be accurately as well as universally understood.

The authority of the agent may be created by writing, or verbally without writing ; and, for the ordinary purposes of business, the latter is sufficient. Or the agency may be inferred from the relation of the parties and the nature of the employment, without proof of any express appointment. It is sufficient, that there be satisfactory evidence of the fact, that the principal employed the agent, and that the agent undertook the trust. And the extent of the authority of an agent will sometimes be extended or varied on the ground of implied authority, according to the pressure of circumstances connected with the business with which he is intrusted. Even an acquiescence in the *assumed* agency of another, when the acts of the agent are brought to the knowledge of the principal, is equivalent to an express authority. By permitting another to hold himself out to the world as his agent, the principal adopts his acts, and will be held bound to the person who gives credit thereafter to the other in the capacity of his agent.

* Paley's Moral and Political Philosophy, p. 99.

There is a very important distinction, on the subject of the powers of an agent, between a general agent and one appointed for a specific purpose. An agent, *who is intrusted with general powers*, must exercise a sound discretion. If his powers are *special and limited*, he must strictly follow them. The acts of a general agent will bind his principal so long as he keeps within the general scope of his authority, even though he may act contrary to his private instructions ; and this rule is necessary to prevent fraud, and encourage confidence in dealing. It is, in fact, indispensable to safety in dealing. A general agency is always in a considerable degree *confidential*. A general agent must exercise a sound discretion in the business of his principal, and, even if he has his instructions, he may depart from them, when, from some change in the circumstances, he is fully convinced, that his principal, if he were present, would change his intention. This rule is designed to guide, under a change of circumstances, the judgment and consciences of those whose agencies are confidential. But an agent constituted for a *particular purpose*, and under a limited power, cannot bind his principal, if he exceeds his power. The special authority must be strictly pursued ; and whoever deals with an agent, constituted for a special purpose, deals at his peril, when the agent passes the precise limits of his power.*

It is scarcely necessary to say, that an agent, in all his intercourse and in all his transactions with his principal, is bound in conscience to act up to the confidence which is reposed in him. In the case of a general agency, the relation between the parties is highly confidential, and imports the most perfect good faith between them. Even the law of the land, whose general standard of conduct in respect to morals is imperfect,† speaks on this subject in a tone well fitted to command attention, respect, and deference. “The law, acting in aid of general morals, will not suffer one party, standing in a situation of which he can avail himself against the other, to derive advantage from that circumstance ; for it is founded in a breach of confidence.” Again ; the general principle of law, which governs in this

* Kent's Commentaries on American Law, Vol. II. pp. 477 - 492.

† See above, pp. 31, 32.

case, and in many other analogous relations which subsist among men, such as lawyer and client, guardian and ward, trustee and beneficiary, (that is, the person beneficially interested,) is “that, wherever confidence is reposed, and one party has it in his power, in a secret manner, for his own advantage, to sacrifice those interests which he is bound to protect, he shall not be permitted to hold any such advantage.”* Further, the law interposes, upon “a motive of general public policy, and in a certain degree gives protection to the parties against the effects of overweening confidence, and self-delusion, and the infirmities of hasty and precipitate judgment.” And, although courts of justice “do not sit, or affect to sit, in judgment upon cases, *as custodes morum*, enforcing *the strict rules of morality*,” yet they maintain, that, “if confidence is reposed, it must be faithfully acted upon, and preserved from any mixture of imposition; if influence is acquired, it must be kept free from the taint of selfish interests, and cunning and overreaching bargains; if the means of personal control are given, they must be always restrained to purposes of good faith and personal good.” †

“In all cases,” says Mr. Justice Story, “the principal contracts for the aid and benefit of the skill and judgment of the agent; and the habitual confidence reposed in the latter makes all his acts and statements possess a commanding influence over the former. Indeed, in such cases, the agent too often so entirely misleads the judgment of his principal, that, while he is seeking his own peculiar advantage, he seems too often but consulting the advantage and interest of his principal; placing himself in the odious predicament, so strongly stigmatized by Cicero; *Totius autem injustitiæ nulla capitalior est, quam eorum, qui, cum maxime fallunt, id agunt, ut viri boni esse videantur.* ‡ It is, therefore, for the common security of all mankind,” continues he, “that gifts procured by agents, and purchases made by them

* See Story on “Constructive Fraud,” in his Commentaries on Equity Jurisprudence, Vol. I. pp. 305, 319, 320.

† Idem.

‡ De Officiis, Lib I. c. 13. Translated thus; “No class of men are guilty of more flagrant injustice than those, who, in the midst of their wrong conduct, so disguise it, as, at the same time, to wear the garb and put on the appearance of upright men.”

from their principals, should be scrutinized with a close and vigilant suspicion. And, indeed, considering the abuses which may attend any dealings of this sort between principals and agents, a doubt has been expressed, whether it would not have been wiser for the law in all cases to have prohibited them ; since there must almost always be a conflict between duty and interest on such occasions.”*

A special agency is chiefly *ministerial*, and is constituted for the purpose of having some particular act performed, of effecting some particular purpose, or of accomplishing some special service. Thus, when an attorney is employed to treat for an estate, which is a case of confidential agency, if he finds a defect in the title, he very properly desists, until he can confer with his principal. But if the commander-in-chief of an army detaches a subordinate officer upon a particular service, which service is found more hazardous, or otherwise more difficult, than was supposed ; so much so, that the officer is convinced, that his superior, if he were acquainted with the true state of affairs, would recall or modify his orders ; still this officer must, if he cannot wait for fresh instructions without prejudice to the service upon which he is detached, pursue at all hazards, those which he brought with him. † This, it must be admitted, is an extreme case, — and it is always proper, that even a ministerial (special) agent, should keep in view the nature of the service he is to render, and of the business he is to transact, and that he should in some degree make this his guide. In every great change, especially every sudden change of circumstances, which could not have been anticipated, it is his duty, if possible, to wait for further instructions from his principal.

When an agent is made responsible for the issue of any business or enterprise intrusted to him, he ought to be permitted to appoint his assistants and, to choose his own means by which to accomplish the object ; and, whenever an agent is not allowed to appoint his assistants and to choose his own means, he cannot equitably be made responsible for the result.

In one class of instances which come within this relation, the

* Commentaries on Equity Jurisprudence, Vol. I. pp. 310, 311.

† Paley's Moral and Political Philosophy, p. 100.

person employed advises and directs his employer, — of which, the lawyer and his client, the physician and his patient, the clergyman and his congregation, are the chief and most familiar cases. This, too, is the nature of the relation subsisting between the Faculties of our universities, colleges, &c., and the Boards of Trustees which employ them, so far as the *literary and professional department* of those institutions is concerned. These cases, in which the advice of the person employed governs the conduct of the employer, are of all, the most honorable kind of agencies. In them, moreover, a special responsibility always rests on the person employed. In all these cases, the employer calls into requisition and pays for, the peculiar skill and knowledge, and not merely or chiefly the manual labor, of the person employed. And the employments of life rise in rank, in proportion as they require more skill, knowledge, and integrity, for their successful exercise.

CHAPTER III.

THE OBSERVANCE OF TRUTH.

THIS general form of expression is used to designate this part of my subject, because there are many violations of truth, besides direct falsehood. An adherence to truth is deservedly esteemed the chief of the personal virtues, and a disregard of it is universally numbered among the most flagrant offences against manners, morals, and religion. A single deliberate falsehood is a stain on the character which cannot easily be wiped away.

“Ye shall not steal,” says Moses to the Hebrews, “neither deal falsely, neither lie one to another.”* David makes it a characteristic of the wicked, that “they go astray speaking lies as soon as they are born, that they love evil more than good, and lying rather than to speak righteousness.”† Again, “Lying lips are an abomination to the Lord, but they that deal truly are his

* Leviticus xix. 11.

† Psalms lviii. 3; lii. 3.

delight.”* “Lie not one to another,” says St. Paul, “seeing that ye have put off the old man with his deeds, and have put on the new man, which is renewed in knowledge after the image of him that created him.”† Again, St. Paul says, “The law is not made for a righteous man, but for the lawless, for the ungodly, and for sinners, for the unholy and profane, for murderers of fathers and murderers of mothers, for manslayers, for whoremongers, for liars, for perjured persons, and if there be any other thing that is contrary to sound doctrine.”‡ St. John says, “All liars shall have their part in the lake which burns with fire and brimstone.”§ Again, “There shall in no wise enter into it (the holy Jerusalem) any thing that defileth, neither whatsoever worketh abomination, or maketh a lie.” And again, “Without are dogs, (*all persons not good men, all defiled by sin,*) and sorcerers, and whoremongers, and murderers, and idolaters, and whosoever loveth and maketh a lie.”||

In these passages, falsehood is ranked with perjury, murder, sorcery, idolatry, parricide, and whatsoever worketh abomination. We may not perhaps be warranted in concluding, that all these sins are of an equally dark dye; but assuredly we may conclude, that falsehood is any thing but a light sin, when it is ranked, on Divine authority, with the abominations of perjury and parricide, without any mark of discrimination between them.

And, when we advert to the *consequences* of general and indiscriminate falsehood, we must be convinced, that right reason coincides with and sustains Divine revelation in its estimate of the importance of truth, and of the abomination of falsehood; and that mankind are not in the wrong in estimating a regard for truth as the first of the personal virtues. The seal of universal reprobation is rightfully fixed on wilful and deliberate lying. Mutual confidence is the main spring of all that renders life valuable; and a regard for truth is the corner-stone, nay, it is the entire foundation, of all the confidence which exists, whether in the social intercourse, or in the business transactions, of mankind. So accustomed are we to receive and reciprocate confidence, that we cannot, without some reflection, be sensible of its abso-

* Prov. xii. 22.

† Col. iii. 9, 10.

‡ 1 Tim. i. 9, 10.

§ Rev. xxi. 8.

|| Rev. xxi. 27; xxii. 15.

lute necessity to the welfare of mankind. Occasions for reposing it occur every hour, at home and by the wayside, by day and by night, in solitude and in company.

Let us suppose, for a moment, the great moral obligation of a mutual regard for truth to be dissolved, — no man reposing confidence in another, or entitled to it himself; — who does not see, that universal suspicion and distrust, insecurity, anxiety, and alarm, must be the consequence? Direct and deliberate falsehood, therefore, is so personally disgraceful, so pointedly condemned by Scripture, and tends in its consequences to such overwhelming, such universal ruin of every thing valuable and estimable in life, that it is condemned universally, — no voice is ever raised in its justification. But, as has been said before, truth is accustomed to be violated in many ways, besides direct falsehood. It is violated whenever there is an intention or a willingness to deceive. Without attempting a complete enumeration of these ways, I shall touch, as I may, upon those which are most worthy of the notice of an elementary writer on morals.

1. Truth is violated when facts, reasonings, circumstances, or any thing else, by whatever name called, are suppressed or omitted, with the knowledge or belief, that any person will be led into error or mistake by such suppression or omission. I do not say, that the omission or suppression of facts, circumstances, or whatever else is seen to be necessary to lead the reader or hearer into the truth, is equally criminal with the direct assertion of what is known to be false; — it may not be so, there are degrees in all offences, — but it is unquestionable, that the one as well as the other is a great violation of truth. And the comparative frequency with which truth is violated in this way, makes it a matter of importance, that this part of the subject should be well understood. Various sources of illustration might be used to set this point in a clear light.

Truth is violated by the historian, when he omits facts and circumstances, the absence of which prevents his narrative from making such an impression of events, characters, and transactions, as would be communicated by stating the truth in the full measure of its integrity, and without disguise. The truth of history requires, that nothing be suppressed or omitted, which can mate-

rially affect the general impression made by the narrative.* History is the greatest of earthly tribunals; but all its dignity and glory vanish, when truth no longer sits supreme on the seat of justice. Again, truth is violated by the biographer, when he suppresses or omits incidents and traits of character, which are necessary to the full understanding and estimate of the person whose character he has undertaken to portray.

Does not the lawyer, also, violate truth in the same way, when he suppresses or omits facts, authorities, and circumstances, knowingly, and for the purpose of leading the court and jury astray? I will permit the late Sir James Mackintosh to answer. "He who is influenced by the spirit of integrity," says he, "will never himself misrepresent, or be knowingly the cause of others misrepresenting the truth in a court of justice; no prospect of advantage to himself or his client will tempt him to the commission of so gross an error. I will mention two modes (by way of caution) in which it may be committed; 1. by giving a false color to facts, in his own statement of them to the jury; 2. by turning the answers of witnesses to purposes eccentric from their original design. Both these are very bold attacks upon the understanding and common sense of men. Integrity is averse from a conduct like this; it teaches its pupil to consider, that in a court of justice the grand aim is *truth*; and that a subversion of truth cannot be achieved, but at the expense of honor; an expense which no man of a right mind will willingly incur." †

2. Truth is violated, by speaking or writing with a view to *produce a particular effect*, but without much regard to the *truth* of what is spoken or written, provided it is calculated to accomplish the desired end. Controversial writers of every description are frequently guilty of violating truth in this way. Stimulated by the anticipated shouts of victory, or mortification of defeat, truth, in too many cases, soon ceases to be their main object, if it was so at first; moral and equitable restraints are gradually cast aside; and at length, blinded by prejudice, and heated by passion, nothing serves their purpose which does not

* Cicero, De Oratore, Lib. II. c. 15. † Study and Practice of the Law, pp. 245, 246.

seem to sustain and strengthen their own side, or militate against the side taken by their adversaries. Hence arise misstatements of the subject under discussion, mutual misrepresentation of the motives, opinions, designs, feelings, and arguments of the respective adversaries, misquotations and mistranslations of authorities; partisan and sometimes personal attacks, and offensive personal imputations, made by one party in order to fix public prejudice and odium on the opposite party and his cause;—these, all these practices and many more, must be familiar to all who are accustomed to peruse controversies.

This spirit and these practices, in some degree, infect the controversies which spring up in literature, in science, in morals, and even in religion; but it is in *political party warfare*, that the spirit of perversion and misrepresentation of the truth rages with tenfold virulence and bitterness. I must be sustained by the convictions of every candid and experienced politician, when I assert, that the *effect*, much more than the *truth*, of what is written, is regarded by the great body of our political partisan writers. Nay, must I not be sustained in further asserting, that the practice of sacrificing *truth* to *effect* has gradually found its way, from the partisan newspapers and journals, to the speeches of our legislators, and even into those still more grave and important productions, the reports of our legislative committees, and the messages of our chief executive magistrates? Is it too much to say, that in the sacrifice of *truth* to *effect*, our gravest political documents are sometimes stained with assertions and statements, which must be known by the authors to be perversions and misrepresentations of the truth? I am unwilling to refer to particular instances of such statements made in our gravest official documents; and, fortunately for me, such particular reference is not necessary, — instances enough to justify me, cannot fail to occur to the memory of every one who is familiar with our recent political documents and history. This is violating historical truth in its ultimate sources, and it is worthy of the most mature and candid consideration of every patriot and statesman, nay, of every good citizen, whether this practice does not threaten, if it cannot be arrested, to render the future political history of this

country, in a great measure, uncertain, confused, and problematical.

3. Again, truth is violated by the practice of repeating stories, narratives, and statements improbable in themselves, without much or any inquiry into their credibility, and without much regarding whether they are true or false. To originate such narratives and statements, without any ground on which to rest them, is, except that the intention of deceiving may be wanting, absolute and unqualified falsehood. And no man, who attaches much value or importance to truth, will be willing to assert any thing without knowing it to be true, or without a belief and assurance of its truth, resting on grounds reasonably entitled to confidence. Actual knowledge, then, or reasonable grounds of assurance, can alone justify us in asserting any thing for truth. And he does not show much respect for truth, who positively asserts any thing, of which he is not assured, and of which he might be assured by inquiry.

Nor will a man, scrupulously regardful of truth, indulge himself in the habit of amplifying, exaggerating, and supplying circumstances, with a view to embellish the narrations or anecdotes which he may have occasion to relate, and thus to season his conversation, render it more attractive, and spice it to the taste of a circle of gay companions. Such a habit is dangerous; it may gradually undermine and impair, or perhaps, even destroy, a man's regard for truth, before he is sensible of the effect. Truth is too sacred a subject to be trifled with; and such a habit, if it is not positively and unequivocally criminal, is assuredly overstepping the line of safety. Our safety, in such a case, consists in avoiding even too near an approach to the division line between right and wrong. Habits grow insensibly upon the individuals who practise them, until their remote results are widely different from any thing, which, in the outset, could have been anticipated.

There are some instances on record, equally fitted to surprise and to instruct us in regard to the importance of an habitually strict observance of truth. The habit of amplifying on every occasion, of exaggerating and supplying circumstances whenever there is a temptation to do so, and, still more, of making positive affirmations upon inadequate grounds of assurance, has sometimes

led men eventually to mistake the suggestions of their passions and the promptings of their imaginations for truth, and to impose them on themselves and on others as such.* By a confirmed habit of disregarding truth, men have come at length *firmly to believe their own falsehoods*. It can scarcely be necessary to observe, that any thing said under this division, does not apply to tales, parables, or other fictitious writings, designed for amusement or instruction.

4. Certain forms of expression, usual in polite circles of society, seem to be inconsistent with the sincerity of character in which much of truth consists, and with that simplicity and directness of intercourse recommended by our Saviour, when he says, “Let your communication be, Yea, yea; Nay, nay; for whatsoever is more than these cometh of evil.” †

When a stranger enters the house of a Spanish gentleman, properly introduced, he never fails to assure him, that both it and himself are perfectly and always at his disposal. He says to his guest, “Sir, here you have a house, this house is yours; if I can serve you in any way, command me, — I am always at your disposal.” ‡ And Miss Edgeworth must be good authority for saying, that, in England, a general invitation to visit, means nothing but “Good morning to you.” § Any one, in the slightest degree acquainted with the modes of intercourse which prevail in fashionable life, cannot fail to know, that similar usual, but insincere forms of expression, are very common elsewhere than in Spain and England. Every person with whom we are accustomed to hold intercourse, is entitled to a polite, decorous, and respectful style of address. A just indulgence, too, may be allowed in favor of hyperbolical, ironical, and other playful forms of expression, by which cheerfulness, good humor, and good feeling may be very much promoted. But, as on other subjects, just limits are to be observed, to transgress which is an offence against good taste, propriety, and decorum, if not against good morals.

It is sometimes said, that it is well to give good words to

* See Report to the U. S House of Representatives, of April 30th, 1832, on the Bank of the United States, written by John Quincy Adams, p. 389.

† Matt. v. 37. ‡ Wines' Two Years and a Half in the Navy, Vol. I, p. 171.

§ Helen; Vol. I. p. 12.

persons, when it is in your power to give them nothing else. This is very true, but a kind and polite address, and terms perfectly courteous, are always consistent with the strictest observance of truth ; as, also, bluntness of address and rudeness of language are quite consistent with an habitual disregard of truth. In fact, these observations pertain to good manners quite as much as to good morals ; or rather, in this instance, these two departments meet and mingle with each other. Whatever is inconsistent with truth, reason, propriety, decorum, a just taste, self-respect, and mutual respect, is equally at variance with both.

Dr. Paley, among several instances of falsehoods which he says are not criminal, includes the case of a servant denying his master ; that is, saying to visitors that his master is not at home, when he knows him to be in the house, probably in the next room. As this is one of the most exceptionable of the usages of fashionable society to which I have referred, and as it has been frequently justified by persons whose general tone of moral feeling and conduct is sound and healthy, (and Dr. Paley is one of these,) I may be excused for giving it a moment's consideration.

The ground taken by those who justify the practice, is, that it is a polite and inoffensive way of refusing to see a visiter, whom the person visited does not wish to see ; that it is conventional and well understood by those who use it. This is the best ground on which to rest it ; and, if the visiter and the person visited were the only parties concerned, it might be too much the part of a precisian to make objection against it. But a man's language and actions seldom terminate with himself, — the message to the visiter at the door is heard by the children of the family, — they cannot understand how it is consistent with truth, — and, assuredly, their respect for the claims of truth is impaired. But this is not all. The message is carried by a servant ; he does not understand its consistency with truth, he has not much education, and is unaccustomed to refined distinctions ; the example of his master is apt to be, in all respects, a standard high enough for him ; his regard for truth is diminished, and his opinion of its obligation is unsettled. Now children and servants comprise a very large part of mankind, and those who are now children will

be the men and women of the next generation. Query. Does a gentleman when he has directed his servant to “deny him” to a visiter, feel, during the next hour, quite as much respect for himself as he did during the hour previous? Is he perfectly satisfied, that he has set up a standard of truth safe for his children and servants?

CHAPTER IV.

OATHS.

THE observance of truth is the highest of the personal virtues, — its violation is always a gross personal degradation, — not only so, falsehood is a heinous offence against manners, morals, and religion. Its tendency too, as seen in its effects, is always injurious; or, if its effects are *not always actually so*, still the liar is entitled to no credit by reason of this, — his conduct is not palliated, much less justified, by this circumstance. Its tendency may be counteracted, but this does not change its nature. This is undeniably and unchangeably evil.

This is true of the affairs of ordinary life; but in certain special cases, the chief of which are trials in our courts of justice, the general and frequent violation of truth would be attended with universal and overwhelming calamities, inasmuch as the life, character, and estate of every man would be no longer secure. There are, moreover, certain situations, and especially public offices, usually called, by reason of their excellence, “*offices of honor, trust, and profit*,” which require, for the performance of their duties, special uprightness and integrity of character, inasmuch as their suitable discharge presupposes all the moral qualities which constitute trust-worthiness; and the persons invested with these offices must, from the nature of the case, be in a great measure the judges of their own duties. The virtue of the best of men is imperfect, — hence, for the security of the public, all possible means have been devised for attaining truth in our tribunals of justice, and for strengthening and con-

firming the integrity of those who are invested with situations and offices of trust.

One of the chief means, which have been relied on to secure the observance of truth in witnesses, and integrity in those who hold situations of public trust, is, the administration of oaths, by which, earthly virtue, imperfect as it is, may be confirmed by the great ultimate sanction of morals, — the consideration of a future state of rewards and punishments. Men continue, as in the days of St. Paul, to “swear by the greater, and an oath for confirmation is” still “to them an end of all strife.”* I shall consider oaths under the several divisions, — 1. Of their lawfulness. 2. Their forms. 3. Their signification. 4. Their efficacy as securities for truth and integrity. 5. Their abuse. 6. In what cases they are not binding.

1. The use of oaths on solemn occasions, especially to give the highest binding force to solemn and important transactions, is coeval with the first dawn of history. The distinction between judicial and profane swearing seems to be recognised in the ten commandments (compare the third and ninth); and an examination and comparison of the passages in the New Testament, which pertain to oaths, † has had the effect of convincing all Christians, except the Quakers and Moravians, of their lawfulness in a moral point of view. The distinction, indeed, between judicial and profane oaths is a very plain one; and, while the former are clearly sanctioned by the sacred writers, the latter are condemned and forbidden by them. From respect to the plea of a tender conscience, urged by the Quakers and Moravians, the forms inserted in our political constitutions, and used in our courts of justice and wherever else judicial oaths are accustomed to be administered, generally, if not always, admit of *an affirmation* instead of an oath. In the view of every good man, however, this is a difference in form rather than in substance. ‡

2. The forms of oaths and the ceremonies accompanying their

* Heb. vi. 16.

† Matt. v. 33 - 6; xxvi. 63; Rom. i. 9; 2 Cor. i. 23; Heb. vi. 16; James v. 12.

‡ The lawfulness of oaths is well vindicated by Dr. Paley, in his *Moral and Political Philosophy*, pp. 112 - 114, — and strenuously opposed by Dymond, *Essays on Morality*, pp. 147 - 152.

administration, have been very various in different ages and countries. The ancient ceremonies, with which oaths were administered, were of a most imposing kind; and we may remark as a fact of some interest, in descending the chain of history from ancient to modern times, a gradual simplification of oaths and the accompanying ceremonies, as knowledge, intercourse, and good faith have become more common.

A very ancient form of the oath consisted in slaying an animal, cutting it into halves, placing the halves opposite to each other, sometimes upon opposite altars, between which the party or parties to be sworn, passed. This form appears to have been used, when covenants and treaties were made, and upon other occasions of unusual importance. Jeremiah says, "I will give to punishment the men who have not performed the words of the covenant which they had made before me, *when they cut the calf in twain, and passed between the parts thereof.*"* This ceremony was highly significant, importing that the person sworn consented to be cut to pieces in like manner with the animal slain before him, if he failed to observe the oath. Sometimes the victim was struck down with an axe, in the presence of the jurors, without being cut into pieces; the striking being preceded by an imprecation.† Hence the Latin phrase *ferire fœdus* or *pactum*, from whence the English phrase *to strike a bargain* seems to be derived. This ceremony had the same import with the preceding.‡

In the middle ages, when violence and bad faith were equally the chief characteristics of the times, the parties were sworn, on occasion of important transactions, at the altar of the church, before the consecrated host, or, which was esteemed still more binding, upon the relics of the Saints. The form of doing homage used by vassals to their liege lords, which consisted in the vassal's putting his hands between the knees and within the hands of the liege, at the same time kneeling before him, and which is in some countries continued to this day, may very

* Jer. xxxiv. 18; Gen. xv. 9, 10, 17. Homer's Iliad, II. 124; III. 105.

† Livy, Lib. I. c. 24.

‡ See Calmet's Collections, under the terms "Oath" and "Covenant," and in Fragments, Nos. 63, 129, 131, 277.

probably have been derived from the form of the oath seen in Genesis xxiv. 2, 3, as the variation is not very considerable.*

In Scotland, and in some of the United States, the juror, when sworn, holds up his right hand. Dr. Paley thinks this ceremony was derived from the Jews, and that it explains Psalm cxliv. 8, which says, "whose mouth speaketh vanity, and their right hand is a right hand of falsehood."† This, however, more probably refers to the pledge accustomed to be entered into by the parties to an engagement, and evidenced by the joining of their hands. In England, and in several, probably in most of the United States, the juror, while repeating, or more generally listening to the oath, takes a copy of the Bible, or of the Four Gospels, in his right hand, or lays the same hand upon either of them, and the ceremony concludes with his kissing the sacred volume. In England, too, an oath administered to a Jew upon the Old Testament or upon the Pentateuch, to a Mahometan upon the Koran, and to a Gentoo according to the form prescribed by his religion, has been recognised as valid.‡ The reasonable principle, and the one intended, I presume, to be established, is, that every man, when admitted to an oath, shall be bound by the highest sanctions of his own religion. This principle has been expressly sanctioned in the Revised Statutes (ch. 94, sec. 11.) of Massachusetts, and I doubt not, either has been, or would be, if occasion should arise, admitted and acted upon by every court of justice in the United States.

3. The signification of oaths. An oath may well be called a religious act,§ since by it the existence of God is acknowledged, and an appeal is made to his omniscience, his omnipresence, and his retributive justice. The ancient forms and imposing ceremonies were addressed to the senses and the imagination, and were well suited, we may presume, to the state of the times in which they were devised and used, when, amidst general vio-

* See Hawkins' Picture of Quebec, p. 130.

† Moral and Political Philosophy, p. 110.

‡ 1 Atkyns, 21 ; Phillips' Law of Evidence, 19.

§ This view of an oath is as ancient as the time of Cicero, who says, "Jusjurandum affirmatio religiosa est." De Officiis, Lib. III. 29.

lence, bad faith, and ignorance, it was indispensable to call in the aid of the senses and the imagination, to make a suitable impression on the understanding and conscience. The advance of knowledge, of morals, of religion, and of general cultivation, have rendered the simple forms and ceremonies of modern times adequate to the attainment of the end designed. The substance of the meaning of every oath must be, an appeal to Almighty God, in which the juror invokes his vengeance or renounces his favor, if he knowingly declares what is false, willingly fails to perform his promise or contract, or otherwise violates the terms of the oath in their known signification.

In taking the "oath in evidence," the witness swears "to speak the truth, the whole truth, and nothing but the truth," touching the subject of inquiry. This form is brief, appropriate, and easy to be understood. The designed concealment of any truth, which relates to the matter in question, is as much a violation of the oath, as to testify to a positive falsehood; and this too, even if the witness is not questioned as to that particular point. The oath requires of the witness, that he give a *complete and unreserved* account of what he knows of the subject of the trial, whether or not the questions proposed to him reach the extent of his knowledge. So that if it be inquired of a witness after the trial, why he did not inform the court on any particular point, the reply that he was not questioned on that point, is not a satisfactory answer.

There is one exception to this rule, and only one, to wit; when a full disclosure of the truth tends to convict the witness himself of some *legal* crime. Our law constrains no man to become his own accuser, and consequently must impose the oath in evidence with this tacit reservation. But the exception must be confined to *legal* crimes. A point of honor, of reputation, or of delicacy, may make a witness disinclined to disclose some circumstance with which he is acquainted; but a concealment of the truth, for either of these reasons, is in nowise justifiable. When, however, an accomplice is admitted to give evidence against his associates in crime, he may, and must, testify against himself, as there is a compact to this effect, between himself and the State. In criminal prosecutions, tenderness to the

prisoner, though a specious apology for concealment, is no just excuse; for, if it were so, it would take the administration of penal justice out of the hands of judges and juries, and make it depend upon the temper of prosecutors and witnesses.

Questions may be asked, which are irrelative to the cause, which affect the witness himself, or some third person; in which, and in all cases where the witness doubts concerning the pertinency and propriety of the question, he ought to refer his doubts to the court. The answer of the court in explanation, or even in relaxation, of the oath, is authority enough to the witness; for the law which imposes the oath may remit what it will of the obligation, and it belongs to the court to declare what the mind of the law is. Moreover, as oaths are designed for the security of the imposer, (the rule is, *Jurare in animum imponentis*,) it is manifest that they must be understood in the sense in which *the imposer intends them*; otherwise they afford no security to him.*

4. The efficacy of oaths, as securities for truth and integrity. Every one who has in mind the observations of Cicero on the oath of Regulus,† by which he bound himself to return to the Carthaginians, unless he should effect an exchange of prisoners, must be satisfied, that oaths were highly efficacious among the Romans during the best days of their commonwealth. And Cicero says, that the conduct of Regulus, in adhering to his oath, which must ever call forth the highest admiration, did not so much spring from *his individual virtue*, as from *the virtue of the times* in which he lived.‡ The spirit of those times would not have permitted him to do otherwise than observe his oath, cruel as was the punishment which awaited him on his return. If, then, oaths were thus efficacious under a system of false religion, ought a Christian to doubt their efficacy as securities for truth and integrity, when administered under the sanctions of the true religion?

The administration of an oath will make even a good man more circumspect in giving his testimony; and the number of men must be very small, who are hardened enough to stand up

* Paley's Moral and Political Philosophy, pp. 115-117.

† De Officiis, Lib. III. c. 26-32.

‡ Idem, c. 31.

in a court of justice, and utter deliberate falsehood, under the sanctions and solemnities of an oath. We may well believe, that many a man may be frequently guilty of lying, who will shrink from committing perjury.

We may be further satisfied of the security of oaths, by adverting to the difference between perjury and ordinary lying. Perjury is a sin of greater deliberation than lying. The thought of God and of the sanctions of religion is brought home to the understanding and conscience of the juror at the time, by the administration of the oath. If he offends, therefore, it is with a high hand, — his offence is a more daring defiance of the sanctions of religion, and a more daring contempt of the knowledge, power, and justice of God, than ordinary lying, in which there may be nothing to lead the mind to any special reflection upon the Deity.

Again, perjury violates confidence more flagrantly than lying. Mankind must trust to one another; and if they cannot trust to an oath, they have nothing to which they can trust. Hence, legal adjudications, which govern and affect every right and interest on this side of the grave, of necessity proceed and depend upon oaths. Perjury, therefore, in its general consequences, strikes at the security of reputation, property, and even of life itself. The same credit is not given to statements made in the ordinary way; and, therefore, lying cannot do the same mischief with perjury.

Moreover, God directed the Hebrews to swear by his name; * and was pleased, “in order to show the immutability of his own counsel,” † to confirm his covenant with that people by an oath; neither of which things, it is probable, he would have done, had he not intended to represent oaths as having some meaning and effect beyond the obligation of a mere promise; which effect must be owing to the more severe punishment with which he will vindicate the violation of oaths.‡ Finally, the declarations of judges, lawyers, and other official persons, are nearly if not quite uniform in favor of oaths, as securities for the attainment of truth in

* Deut. vi. 13; x. 20.

† Heb. vi. 17.

‡ Paley's Moral and Political Philosophy, pp. 114, 115.

the administration of justice. History, argument, and experience, therefore, combine to satisfy us of the efficacy of oaths, as securities for truth and integrity.

5. The abuse of oaths. During many years past, complaints in regard to the administration of oaths, have been frequent and general in England and in the United States. It has been complained, that oaths have been unnecessarily multiplied ; that they are required on trifling occasions ; in cases in which the juror does not and cannot know the truth of the matter on which he is sworn ; that it is degrading for men of dignity and elevation of character to confirm their assertion by an oath ; and that the prevalence of oaths has produced upon the community a very material and very general effect, in reducing their estimate of the obligation of plain truth, in its natural and simple forms.

All this has been said, and much more. Dr. Paley says, " It merits public consideration, whether the requiring of oaths on so many frivolous occasions, especially in the customs and in the qualification for petty offices, has any other effect than to make them cheap in the minds of the people. A pound of tea," he continues, " cannot travel regularly from the ship to the consumer without costing half a dozen oaths at the least ; and the same security for the due discharge of their office, namely, that of an oath, is required from a church-warden and an archbishop, from a petty constable and the chief justice of England." * And Mr. Dymond says, " Oaths, at least the system of oaths which obtains in this country (England), tend powerfully to deprave the moral character. We have seen," continues he, " that they are continually violated, — that men are continually referring to the most tremendous sanctions of religion, with the habitual belief that these sanctions impose no practical obligation. Can this," he asks, " have any other tendency than to diminish the influence of religious sanctions upon other things ? If a man sets light by the divine vengeance in the jury-box to-day, is he likely to give full weight to that vengeance before a magistrate to-morrow ? We cannot prevent the effects of habit. Such things will infallibly deteriorate the moral character, because they

* Moral and Political Philosophy, pp. 111, 112.

infallibly diminish the power of those principles upon which the moral character is founded."*

We may well believe, that the quotation from the last author partakes very much of overstatement, and that many of the complaints respecting oaths are made without good reason. Still the conviction, that oaths are very greatly abused, is so strong and general, as not to permit us to conclude, that all or the greater part of these complaints are without just foundation. In many things where *form is concerned*, quite as much depends on the manner in which the form is administered as on the matter which the form contains. And in no case, perhaps, does this remark more forcibly apply, than to an oath. If all oaths were administered under suitable circumstances of solemnity, with distinctness of utterance and a gravity of tone and manner befitting the occasion, it is probable, that objections against them would be very much diminished. Very just objections however, in truth, seem to me to lie against our system of oaths, for *their number and their use on trifling occasions*; but a still stronger objection lies against *the levity of manner and almost total want of reverence* with which they are too often administered.

The subject of voluntary and extra-judicial oaths has been much discussed in some parts of this country within a few years; and, in some of the States, Masonic oaths have been prohibited, on the ground, that they have sometimes interfered, and may again interfere with the duty of the citizen to his country.

My sentiments on this subject may be summed up and classified thus; (1.) Oaths ought not to be used, where other means exist of attaining the end for which they have been accustomed to be administered. The case of the election laws in this State (South Carolina) may be used to illustrate this, where, instead of putting the elector to his oath, amidst the haste, agitation, and sometimes turmoil of the polls, — “that he has the qualifications required by law, and that he has not voted elsewhere,” the qualifications of all the electors, within particular districts, might be previously ascertained, and their names entered in registers kept for the purpose, and used at the time of the election, by which

* Essays on Morality, p. 157.

to admit the citizens of each particular district to the exercise of the elective franchise. (2.) Oaths, legal affirmations, which do not differ essentially from oaths,* and affidavits, ought to be abolished in all cases where a *declaration* can be safely substituted. There is room for difference of opinion, how far declarations may take the place of our system of oaths in the present state of public sentiment, knowledge, and morals ; but, in my judgment, the time has come, when they might be safely and beneficially substituted in all cases except the administration of civil and penal justice. (3.) Oaths fail of making their due impression, unless they are administered under circumstances of suitable solemnity, and in a manner becoming their sacred nature.

The remark has before been made, that the form, substance, and accompanying ceremonies of oaths have necessarily been suited to the character of the times in which they were devised and used ; and that, looking at them by the light of history, they have been simplified as knowledge, good faith, and general enlightenment have advanced. The present is an age of knowledge and of enlarged intercourse ; and it may be said, with great confidence, that at no previous period has good faith been so much respected, or the public mind so much enlightened, both in England and in the United States. Who can doubt that a further simplification of the system has become safe, and would be beneficial ? A conviction to this effect has become as general, as can ever be expected in favor of any considerable change to be made under any circumstances.

Acting upon this general conviction and upon this state of public sentiment, the British Parliament has passed a new act (9th September, 1835), very important in regard to the changes and general provisions which it introduces, and in preparing which the entire subject of administering oaths seems to have been most carefully reviewed and considered. The act took effect on the 1st of October, 1835, and provides for the *general* substitution of declarations, instead of the former system of oaths, solemn affirmations, and affidavits, — in the collection of the revenue, and in all the offices and departments of business under

* Paley's Moral and Political Philosophy, p. 115, note.

the superintendence of the Lords of the Treasury, — in the universities of Oxford and Cambridge, and all other bodies corporate and politic, — in the cases of church-wardens, persons acting under various trusts, persons obtaining patents for new inventions, and the transfer of the stock of the Bank of England, &c. &c. The declarations must be to the same effect with the oaths, &c. for which they are substituted, and must be subscribed by the party making them. The wilfully making a false declaration, in any material particular, is made punishable as a misdemeanor.

The oath of allegiance is still to be required as heretofore ; and no changes are made in the administration of oaths in any court of justice, or in any proceeding before any justice of the peace ; but neither justices of the peace nor any other persons, are to administer or to receive oaths and affidavits touching any matters of which they have no jurisdiction by statute. Voluntary and extra-judicial oaths and affidavits are entirely suppressed ; but voluntary declarations, by which written instruments, &c. may be confirmed, may be received by justices of the peace and other magistrates. It may be hoped, that this act of the British Parliament, dictated by an enlightened judgment and patriotism, may soon be imitated in the United States.

6. In what cases oaths are not binding. When oaths are administered in affirmance of a promise, they are not binding when the promise itself is not binding ; and when to secure the performance of a contract, they do not bind when the contract is unlawful, or is for any other cause not binding. Having before adverted to Masonic oaths, which have lately caused much controversy in this country, and been the occasion of considerable violence, I will subjoin, that if any of the Masonic or other extra-judicial oaths shall, in any event, interfere with the duty of the citizen to his country, they are superseded by the higher duty which he owes his country, — they are not binding. Still I may say, in regard to extra-judicial oaths in general, that, when they have been voluntarily taken, and the obligation which they impose is not in itself morally wrong, — that is, does not interfere with any personal, moral, or political duty, — it does not seem right to set them aside, and renounce their obligation, from slight reasons. Especially, when this renunciation is a betrayal of

confidence specially reposed, and tends to produce jealousies, animosities, and every kind of ill-feeling, and even threatens to disturb the public tranquillity, a good man will hesitate long, and reflect carefully, before he does an act, by which his prudence and consistency, if not the still higher qualities of his moral character must stand committed, and by which the feelings of others must be violated, and their confidence betrayed.

CHAPTER V.

OBSERVANCE OF PROMISES.

THE indispensable necessity of observing good faith in the transactions and intercourse of mankind, and the dangerous nature and ruinous consequences of bad faith, have before been sufficiently illustrated and insisted on. Good faith is the great moral bond which keeps men united in society; the prosperity and happiness of individuals and communities depend upon its observance; nothing can supply its place, or atone for the want of it. Universal bad faith would introduce universal suspicion and distrust, and these again would bring universal unhappiness and ruin in their train. The highest breach of good faith is falsehood, in its various kinds, degrees, and modifications; and as this breach is particularly dangerous and criminal, men have guarded against it with corresponding solicitude; on various important occasions, in order more effectually to secure truth, drawing motives for its observance from the solemnities of the unseen world, by the use of an oath.

The next most dangerous infraction of good faith, is, the non-observance of promises and contracts, which last are mutual promises. In a due regard to these, consists no small part of practical good faith. I shall treat of promises under two divisions; I. In what sense they are to be interpreted. II. In what cases they are not binding.

I. A promise differs from a mere declaration of our intentions, though there is much resemblance between them. When

we simply declare what our present intentions are, nothing more is required to justify our declarations of this kind, than that we were, at the time, sincere in making them. Still, since, in declaring our intentions, we may very probably raise certain expectations in others, and since we are bound to satisfy, as far as we can, the expectations which we knowingly raise, such a declaration lays a man under an obligation, which, though an imperfect one, a wise and good man will not neglect or lightly esteem. A wise man will not willingly lay himself open to the charge of trifling, or of forming his designs without deliberation, and changing them without reason. And, unless the motives which engage him to change his designs are reasonable and weighty, he cannot easily escape this charge, if he does not make good his declarations by his conduct.

For instance, a man may declare his intention to leave a part of his estate to his friend at his death. In consequence of such declaration, his friend will very naturally raise his style of living, and otherwise conform himself to the expectations of enlarged fortune which he has been led to entertain. A disappointment, therefore, does not leave him in the same condition in which he would have been, if no such expectations had been raised ; — the entire course of his life and pursuits may, very possibly, have been changed in consequence of them. A wise man, therefore, for his own sake, or from regard to his own character, and a good man, for the sake of others and from regard to their welfare, will keep his intentions to himself, and make no declaration of them, until he has well considered the matter, and is well satisfied, that nothing will probably intervene, which may cause him to fail in making them good. If he has once declared his intentions, he will be careful to abide by them, and, without carrying them into effect, will not feel satisfied with himself, unless he can find full justification in hindrances and circumstances which could not have been foreseen.

According to Dr. Rutherford, a man may go one step further without coming to a *promise* ; — “ he may not only declare what his present intentions are, but he may add, that these are his settled intentions, that he is not only in earnest now, but will continue in the same mind when the time comes for putting these

intentions in practice. This additional declaration," says he, "does not confer any *perfect* right upon the person in whose favor it is made, nor give him any *strict* demand upon him who made it. But it strengthens vastly his obligation to make his designs good; both because it would be an instance of greater levity to change what seems to have been thus firmly and unalterably resolved upon; and because a disappointment, to those who are made to expect his favors, will be so much more hurtful, in proportion as their expectations were raised higher." Again, continues he, "when a man not merely declares his present intentions to another, in reference to some future gift or service, with satisfactory indications of his being in earnest, and of his being resolved with himself to continue in the same mind; but, further, makes known his design to give him *a right to demand such gift or service hereafter*,—it is a promise."* Here, however, as sometimes elsewhere, this valuable writer draws a line of distinction where there is not much difference.

When the terms of a promise admit of more senses than one, the promise is to be performed in that sense in which the promiser apprehended at the time that the promisee received it. It is very certain, that the rightful interpretation of a promise is not always the same in which the promiser intended to perform it, when making it. An equivocal promise may be made the means of the most cruel deception. For instance, Mahomet, Emperor of the Turks, at the taking of Negropont, having promised a man to spare his head, caused him to be cut in two, through the middle of the body. Tamerlane, after having engaged the city of Sebasta to capitulate, under the promise of causing no blood to be spilt, caused all the soldiers of the garrison to be buried alive.† These barbarian conquerors fulfilled their promises in one sense, and in the sense too, in which they intended at the time of making them; but not in the sense in which the promisees actually received them, nor in the sense in which they themselves knew that the promisees received them; which last sense, according to the rule I am illustrating, was the sense in which they were in conscience bound to perform them.

* Institutes of Natural Law, Chap. XII. 1, 2.

† Quoted by Vattel, Law of Nations, p. 313.

Still less is a promise always to be interpreted in the sense in which the promisee actually understood it ; for, according to such a rule, a man might be drawn into engagements which he never designed to undertake. It must, therefore, be the sense (for there is no other remaining) in which the promiser believed that the promisee accepted his promise. This will not differ from the actual intention of the promiser, where the promise is given with sincerity, and without collusion or reserve ; but it is best to put the rule in the above form, to prevent evasion, in cases in which the popular meaning of a phrase, and the strict grammatical signification of terms, differ ; or, in general, to prevent evasion, wherever the promiser might attempt to make his escape, through some ambiguity in the expressions which he used.*

Promises are sometimes made upon certain conditions ; and those conditions may be either expressed, or tacit and implied. When the condition is expressed, it thereby becomes a part of the promise itself ; and, whenever a promise pertains to any thing important, the condition, if there is one, ought always to be distinctly declared. This prevents disappointments and misunderstandings, and all the evil consequences which are accustomed to grow out of them. The surest way of making a promise absolute in all other respects, is, to annex one or more express conditions to it. When one condition is expressed, the natural presumption is, that no other is implied or understood ; because, if there had been any other in the mind of the promiser, the occasion of mentioning the one condition would naturally have led him to mention the other, — when he designed to make conditions, and was employed in making them, he mentioned only one, — we have, therefore, good reason to believe, that he thought of and intended no more. Still, it cannot be said, universally, that a promise is subject to no tacit conditions, because none are expressed.

It has sometimes been affirmed, that all promises are to be understood to contain a tacit condition, that the promiser continues in the same situation as when he promised ; insomuch so, that he is not bound by his promise, when the time of perform-

* Paley's Moral and Political Philosophy, p. 73.

ance comes, unless it shall be as convenient to him to make it good as it was at the time of promising. But such a tacit condition as this, if the promiser is allowed to explain it, will put it in his power either to be bound or not bound by his promise, according to his own good pleasure. For it is next to impossible, that the circumstances of any man should continue so exactly the same, as not to furnish him, on this ground, with a pretext to evade his promise, between the time of promising and the time of performance. Besides, it would be absurd to suppose a condition to be tacitly annexed to any obligation, which is of such a kind as to leave the obligation to the discretion of the party obliged.*

But promises are made every day and almost every hour;—all the minutiae of time, place, and circumstance cannot always be distinctly expressed, and, where nothing of much importance is depending on them, implied conditions may well be admitted. How many promises are made every day in the unqualified form, which, however, it is well understood, will be performed or neglected, according as our health at the time may permit or prevent, or according as the weather and other circumstances over which we have no control, may be favorable or unfavorable. Moreover, the cases in which promises are not binding, which are to be reviewed and illustrated under the next division, must be understood as implied conditions of every promise.

The general and governing principle applicable not only to promises, but also to a mere declaration of intention, when such a declaration affects another person, is, that our obligation is measured by the expectations which we knowingly and voluntarily excite. The same principle is also applicable to our conduct. Any action or conduct of ours towards another, by which we are sensible his expectations are excited, creates an obligation on our part, which we are morally bound to satisfy and fulfil. Taking, for instance, a kinsman's child, and educating him for a liberal profession, or in a manner suitable only for the heir of a large fortune, puts a man under the same moral obligation to place him in such a profession, or to leave him such a fortune, as if he had

* Rutherforth's Institutes of Natural Law, p. 92.

given him the most unequivocal promise. Men are frequently as much injured and disappointed, and on as just grounds too, when the expectations, raised by another's conduct or declared intentions, are not fulfilled, as they would have been by his failure to make good the most positive assurances which he could have given. There is, therefore, not much difference of moral obligation between a particular course of conduct, declaration of intention, and a promise, so far as the actor, the declarer, and the promiser are concerned.

There is in some men an infirmity with regard to promises, which often brings them into great embarrassment, and subjects others to severe disappointment. From the confusion, hesitation, or obscurity with which they express themselves, especially whenever harassed or taken by surprise, they sometimes encourage expectations, and bring upon themselves demands, which probably never entered their imagination. This is not so much a want of integrity as of presence of mind.*

II. In what cases promises are not binding.

1. Promises are not binding, when the promiser is released by the promisee. This is too manifest to require illustration.

2. Promises of infants, and of persons under alienation of mind, are not binding. Dr. Rutherford's illustration of this is worth quoting. "No promise is binding," says he, "unless the person who made it, has liberty to choose for himself, and understanding to direct him in his choice. Without these faculties of liberty and understanding, he is no moral agent, or is not capable of doing an act so as to produce any moral effect by it. Upon this account, the promises of infants, idiots, and madmen are not binding; they are not moral agents, and are, therefore, unable to do any valid act." †

3. Promises are not binding before acceptance, — that is, before notice given to the promisee. But, where the promise is beneficial, if notice be given, acceptance may be presumed. Until the promise is communicated to the promisee, it is no more than a resolution in the mind of the promiser, which may be changed at pleasure. For no expectation has been excited,

* Paley's Moral and Political Philosophy, p. 75.

† Institutes of Natural Law, p. 95.

therefore none can be disappointed. But, in case I declare my intention to a third person, who, without any authority from me, conveys my declaration to the promisee, — is that such a notice as will be binding on me? Assuredly it is not; for I have not done that which constitutes the essence of a promise. I have not *voluntarily* excited expectation.*

4. A promise is not binding, where it is inconsistent with a previous promise. Dr. Rutherford illustrates this position thus; “When we have once alienated a part of our liberty,” says he, “it is not our own to dispose of again; when we have given one man a demand upon us to act in a particular manner, we have parted with our liberty in this respect, and cannot give another man a demand upon us to act in a contrary manner. What is here said of promises, is equally true of all other sorts of voluntary obligations. Any former obligation takes away the liberty of the person who is engaged in it; and, where he has no liberty, he can do no act which will be valid, and consequently none which can be binding upon him. Indeed, upon any other supposition, there would be no such thing as any possibility of a man’s being obliged at all by his own act; which in morality is deemed an absurdity. For, if a second obligation could make void the first, then a third might make void the second, and a fourth might make void the third, and so on without end.” † If this illustration is rather technical, still it is perfectly sound, and is valuable for its extensive application.

5. Erroneous promises are not binding in certain cases.

(1.) Where the error proceeds from the mistake or misrepresentation of the promisee. The reason of this is, that a promise evidently supposes the truth of the statement, which the promisee makes, in order to obtain it. A beggar solicits your alms by a story of the most pitiable distress; you promise to relieve him if he will call again; but in the interval you discover his story to be false; this discovery, no doubt, releases you from your promise. Again, one who wants your services, describes the office or business for which he wishes to engage you, and you promise to undertake it; when, however, you come to enter

* Paley’s Moral and Political Philosophy, p. 79.

† Institutes of Natural Law, p. 91.

upon it, you find the profits less, the labor more, or some material circumstance different from the representation which he gave you. Under such circumstances, you are not bound by your promise.

(2.) When the promise is understood by the promisee to be based upon a certain state of facts, or when the promiser apprehended it to be so understood, and this state of the facts turns out to be false, — the promise is not binding. An example will set this rule in a more clear light. A father receives an account from abroad, of the death of his only son, soon after which he promises his fortune to his nephew. The account turns out to be false. By this rule, the father is released from his promise; not merely because he never would have made it, had he known the true state of the facts, but because the nephew also himself understood the promise to proceed upon the supposition of his cousin's death; or at least his uncle thought he so understood it, and could not think otherwise. The promise proceeded upon this supposition in the promiser's own apprehension, and, as he believed, in the apprehension of both parties; and this belief on his part is the precise circumstance which sets him free. The foundation of the rule is manifestly this; — a man is bound, as has been said before, to satisfy only the expectation which he intended to excite; any condition, therefore, to which he intended to subject, or by which he intended to limit, that expectation, becomes, when known to the promisee, an essential condition of the promise.

Errors which do not come within these two rules, do not annul the obligation of a promise. I promise a candidate my vote; presently another candidate appears, for whom I certainly would have reserved it, had I been acquainted with his design. Here, therefore, as before, my promise proceeded from misapprehension; and I should never have given such a promise, had I been aware of all the circumstances of the case. But the promisee did not know this, nor did he receive the promise subject to the condition of the other candidate not appearing, or as proceeding from any such supposition; nor did I at the time imagine, that he so received it. This error, therefore, of mine must fall on myself, and the promise be observed notwithstanding. In this

case, however, it is assumed, that the qualifications of the candidates are equal ; otherwise the elector (such is the nature of the elective franchise) must break through his promise, and prefer him who is best qualified. Again, a father promises a certain fortune with his daughter, supposing his estate to amount to a certain sum ; but upon examination, his affairs are in a worse condition than he was aware of. Here, also, the promise was erroneous ; but, for the reason assigned in the last case, will still be binding.

The case of erroneous promises is attended with some difficulty ;—on the one hand, to allow every mistake or change of circumstances to dissolve the obligation of a promise, would be to admit a latitude which might set aside the force of almost all promises ; and, on the other hand, to gird the obligation so tight as to make no allowances for manifest and fundamental errors, would, in many instances, be productive of great hardship and even absurdity.*

6. A promise is not binding when the performance is impossible. As plain as this may seem at first sight, still it admits of some illustration. The promiser is guilty of fraud, if he is secretly aware of the impossibility, at the time of making the promise ; because, when any one promises any thing, his promise implies, that he is convinced of the possibility of performing it, and no one can accept or understand a promise under any other supposition. With a knowledge of the impossibility of performance, the promiser is justly chargeable with a flagrant breach of good faith. If the promiser *himself occasions the impossibility of performance*, it is a still more flagrant breach of good faith ; as when a soldier or servant maims or otherwise disables himself, that he may avoid performing his engagements.†

Again, it generally depends upon the promiser himself, whether *it shall be possible* for him to perform his promises ; some act or some endeavours of his may be necessary to put him in such a situation as will make the performance possible. A promise, in this case, binds him to the doing of those acts, or to the using of those endeavours, though such acts and such endeavours are not mentioned in it ; since he who has obliged himself to the end,

* See Paley's Moral and Political Philosophy, pp. 80 – 82. † Idem, p. 75.

cannot but be understood to have obliged himself to use the necessary means of attaining the end. It cannot be said to be impossible for a man to do any thing, which can be accomplished by his own acts or endeavours. A promise, therefore, of this sort is binding from the beginning ; and, though the promiser has not, in express terms, bound himself to do these acts or to use these endeavours, yet, if the possibility of performing what he has promised depends upon them, he is obliged to do them by virtue of his promise.

7. A promise is not binding when the performance is immoral.* Sometimes the performance of the promise is known to the parties to be immoral at the time when the promise was made, as where an assassin promises his employer to despatch his rival or his enemy, or a servant promises to betray his master. These promises and the like of them are not binding, because their performance is criminal ; their guilt, therefore, lies in the making, not in the breaking of them ; and if, in the interval between the promise and the performance, conscience awakens and regains its rightful supremacy, the promiser will repent of his engagements, and will assuredly break through them. In these cases, the object of the promise is immoral, in the highest sense too ; and this makes the performance immoral, and therefore not binding.

Again, sometimes the immorality of the performance did not

* Rutherford, and after him Dr. Paley, have used the term *unlawful*, where I have used *immoral*. The term *unlawful* does not seem to me to be either sufficiently definite or comprehensive. Dr. Rutherford, indeed, appears to have been sensible of its want of comprehensiveness ; for he says, “ When I speak of unlawful promises, I do not mean those only by which we engage to give or do what the law of nature forbids to be given or to be done by us ; where the matter of a promise is forbidden by any other law, by the positive law of God, for instance, or by the law of the land, or by the commands of our lawful superiors, as far as they have a right to command us, such a promise is void ; we have done nothing by making it ; and consequently have not obliged ourselves to the performance of it.” (Institutes of Natural Law, p. 90.) The term *immoral* is here used with reference to the standard of morals established and illustrated in my Preliminary Principles and Discussions, pp. 29–60 ; to wit, the dictates of conscience, when not disturbed by passion or blinded by prejudice, and when enlightened and guided by the law of the land, the law of consequences (as it may well be called), and the divine law as contained in the Scriptures of the Old and New Testament.

exist, or was not known, at the time of making the promise ; as where a woman gives a promise of marriage, but, before the celebration of the marriage, she discovers that her intended husband is too nearly related to her, or that he has a wife yet living. In this class of cases, where the contrary does not appear, it must be presumed, that the parties supposed what was promised to be consistent with good morals, and that the promise proceeded entirely upon this supposition. The morality of the performance, therefore, becomes a condition of the promise, which condition failing, the promise is not binding.

Further, the tendency, motives, and subject-matter are elements entering too intimately into the nature of a promise to be entirely neglected. Whenever the tendency of the promise is prejudicial to good morals, as seen in the consequences, or made manifest by argument, the promise is not binding ; for the evil tendency and effects impart their own character equally to the promise and the performance. The motives and intentions, too, of the promiser and promisee, or of either of them, and the subject-matter, may be so unmixedly evil, as to contaminate a promise, and render it void. Therefore, a promise to pay a bribe, or to reward the commission of a crime, after the service is rendered, is not binding. So in another case, on which, as well as on these, there has been a difference of opinion. A certain person, in the lifetime of his wife, who was then ill, paid his addresses to another woman, and promised her marriage, in the event of his wife's death. The wife died, and the woman demanded performance of the promise. The man, who, it seems, had changed his mind, either felt or pretended doubts concerning the obligation of a promise made under such circumstances, and referred his case for solution to Bishop Sanderson, who was, at that time, very distinguished for the kind of knowledge required for the solution. Bishop Sanderson, after writing a dissertation upon the question, adjudged the promise to be void. And well he might. For such conduct tends to destroy the sanctity of private life, is inconsistent with the marriage contract, and against religion and good morals. To consider such a promise binding is giving encouragement to wrong. Dr. Paley

decides the question the other way,* and attempts to separate the obligation to perform the promise, from the criminal affection which prompted it, and from the immoral tendency of the transaction. But it seems to me, that the subject-matter, the motives of the parties, and the general tendency, character, and circumstances of the entire transaction, ought to be *viewed in connexion with the question of the performance of the promise*, and as inseparable from it. If so, the opinion of Bishop Sanderson must be sustained. All the considerations of public policy are on the side of Bishop Sanderson's decision; and this is further evidence of its soundness. For, considerations of public policy, and the principles of good morals, always coincide, when both are viewed in all their connexions, tendencies, and influences.†

A promise cannot be deemed immoral, where it produces, when performed, no effect beyond what would have taken place, had the promise never been made. And this is the single case, in which the obligation of a promise will justify a course of conduct, which, unless it had been promised, would have been unjustifiable. A captive may rightfully recover his freedom by a promise of neutrality; for his conqueror gains nothing by the promise, which he might not have secured by his confinement; and neutrality will be innocent in him, although unjustifiable in another. It is manifest, however, that promises which are substituted in the place of coercion, can extend no further than to passive compliances, for coercion itself could compel no more.

Upon the same principle, promises of secrecy, in certain cases, ought not to be violated, although the public might derive advantage from the disclosure. Such promises contain nothing in them which ought to destroy or impair their obligation; for, as the information would not have been imparted upon any other condition, the public lose nothing by the promise, which they would have gained without it. This applies to the relation sub-

* Moral and Political Philosophy, p. 78.

† The views contained in this paragraph are fully sustained by the analogies of the purest branches of the law. See Story on "Constructive Fraud," in his "Commentaries on Equity Jurisprudence," pp. 290-324. And again, in his "Conflict of Laws," pp. 204, 209, 210, 213-215. This learned author seems to omit no fair occasion to bring into notice and enforce the morals of the law.

sisting between a lawyer and his client, a confessor and the person confessing, both of which relations are highly confidential.

Many writers on morals have laid down the position, that, where a perfect and an imperfect obligation clash, the perfect obligation is to be preferred. For this opinion, however, there seems to be no good reason, — the terms *perfect and imperfect*, cannot justify such a distinction. The distinction between duties of perfect and imperfect obligation, is a *legal* and *technical*, rather than a moral distinction. The former may be enforced by *law*, the latter must be left to *the conscience* of each individual. The moral philosopher looks at them both from the same elevated point of view. *The specific performance, therefore, of promises of every kind*, so far as they are binding at all, is a perfect obligation. For, as the reason of the rule applies to all obligations, imperfect as well as perfect, the rule, that promises are void where the performance is immoral, extends to imperfect as much as to perfect obligations. Thus, if you promise a man your vote, and, between the time of promise and performance, he renders himself unfit to receive it, you are absolved from the obligation of your promise. Or if it be a case, in which you are bound, by oath or other obligation, to govern yourself by the qualifications of the candidates, and a candidate of higher qualifications appears, the promise must be broken through.*

If the matter of a promise is impossible or immoral at the time of making it, but the circumstances are such as may be changed, and a change in the promiser's circumstances may render it possible, or consistent with good morals, for him to perform his promise at some time hereafter, it is binding. The meaning of the promiser at the time must have been this, — that he would give the thing or do the act promised, whenever it should be in his power, or whenever, by any change in his circumstances, it should become consistent with good morals. The obligation of such promises, in the mean time, is *in suspense*, but is revived when the event happens which renders the performance of them possible or moral.†

* Paley's Moral and Political Philosophy, p. 76–79.

† Rutherford's Institutes of Natural Law, p. 91.

Again, a promise is a personal concern, and the obligations of a man's promise do not descend to his heirs. Promises are obligations upon his person only, — they do not affect his property. All obligations, which reach no farther than the person of the promiser, cease with his person. And, since the obligations of promises are of this sort, it is matter of liberality and indulgence only, when the heir to an estate undertakes to make good the promises of his ancestor.*

Moreover, it may be well to recommend a caution, to young persons especially, from the neglect of which many have involved themselves in embarrassment and disgrace ; that is, never to give a promise which may in any event interfere with their duty. For, if it so interferes, their duty must be discharged, though at the expense of their promise, and usually, in a measure, of their reputation. †

Finally, when a promise is made to God, it is called a vow. The use of vows occurs occasionally in the Scriptures ; Moses enacted several laws for the regulation and execution of them. “ When thou shalt vow a vow unto the Lord thy God,” says he, “ thou shalt not slack to pay it ; for the Lord thy God will surely require it of thee ; and it would be sin in thee. But, if thou shalt forbear to vow, it shall be no sin in thee.” ‡ We have instances of vows too, in the New Testament. § The practice of making vows, therefore, finds authority, if not direct encouragement, in the Old and New Testament. They partake also, in some measure, of the nature of oaths, and their influence in strengthening and perpetuating good intentions and resolutions seems manifest. The violation of them is sinful, as it implies a want of reverence and regard to the Supreme Being. We may conclude with the wise man ; “ When thou vowest a vow unto God, defer not to pay it ; for he hath no pleasure in fools (that is, rash and vain persons) ; pay that which thou hast vowed. Better is it that thou shouldst not vow, than that thou shouldst vow and not pay.” ||

* Rutherford's Institutes of Natural Law, p. 90.

† Paley's Moral and Political Philosophy, p. 77.

‡ Deut. xxiii. 21, 22.

§ Acts xviii. 18 ; xxi. 23.

|| Eccl. v. 4, 5.

CHAPTER VI.

OBSERVANCE OF CONTRACTS.

A CONTRACT has been defined to be, the assent of two or more minds to the same thing. The minds of both parties, it is said, must be brought to act upon the same subject-matter, and must concur in opinion respecting it. But by a definition better suited to my purpose, because more easily applied, and capable of a more distinct and easy analysis, a contract is a mutual promise. Hence, contracts, in respect to their obligation, to the sense in which they are to be interpreted, and the cases in which they are not binding, are subject to the same rules as promises.

From the principles before established, that the obligation of promises is to be measured by the expectation which the promiser in any way, voluntarily and knowingly, excites,* results the rule, which (*in foro conscientiaë*) governs the construction of all contracts, and which is capable, from its simplicity, of being applied with great ease and certainty; to wit, that *whatever is expected by one party, and known to be so expected by the other, is to be deemed a part or condition of the contract.*† But as contracts are so much more the object of municipal law, than of moral philosophy, I shall not dwell much upon them. A few general observations, however, relative to the connexion between law and morals, and their respective bearing on each other, so far as this subject is concerned, may be useful.

1. There is a gratifying and instructive coincidence between the rules of Christian morals, and the rules and doctrines of the law, in regard to contracts. “No man can be heard in a court of justice, to enforce a contract founded in, or arising from, moral or political turpitude.” Again, “As far as it can be enforced by human sanctions, the rule of the municipal law is identical with the golden precept taught by Christianity, of doing to others as

* See pp. 202, 204.

† Paley's Moral and Political Philosophy, p. 83.

we would that they should do to ourselves." Moreover, "Where the law cannot separate the honest from the fraudulent parts of any transaction, it provides for its own imbecility, by sternly repudiating the whole."*

By the rule of the common law, if there be an intentional concealment or suppression of material facts in the making of a contract, in cases in which both parties have not equal access to the means of information, it will be deemed unfair dealing, and will vitiate and avoid the contract. There may be some difference in the facility with which the rule applies, between facts and circumstances that are *intrinsic*, and form material ingredients of the contract, and those that are *extrinsic*, and form no component part of it; though they create inducements to enter into the contract, or affect the price of the article.

As a general rule, each party is bound, in every case, to communicate to the other his knowledge of material facts, provided he knows the other to be ignorant of them, and they be not open and naked, or equally within the reach of his observation. Thus, in the sale of a ship which had a latent defect known to the seller, and which the buyer could not by any attention possibly discover, the seller was held to be bound to disclose it, and the concealment was justly considered to be a breach of honesty and good faith. So, if one party suffers the other to buy an article under a delusion created by his own conduct, it will be deemed fraudulent and fatal to the contract;—as, if the seller, by his acts, produces an impression upon the mind of the buyer, that he is purchasing a picture belonging to a person of great skill in painting, which the seller knows not to be the fact, and yet suffers the impression to remain, though he knows it materially enhances the value of the picture in the mind of the buyer. The seller must not practise any artifice to conceal defects, or make any representations for the purpose of throwing the buyer off his guard.

The same principle was declared by Lord Hardwicke, when he stated, that, if a vendor, knowing of an incumbrance upon an estate, sells without disclosing the fact, and with knowledge that

* Story, Conflict of Laws, p. 204.—Manuscript Lecture of Simon Greenleaf, Esq., Royall Professor of Law in Harvard University.

the purchaser is a stranger to it, and under representations inducing him to buy, he acts fraudulently, and violates integrity and fair dealing. The inference of fraud is easily and almost inevitably drawn, when there is a suppression or concealment of material circumstances, and one of the contracting parties is knowingly suffered to deal under a delusion.

So, the selling an unsound article for a sound price, knowing it to be unsound, is actionable. It is equivalent to the concealment of a latent defect. The same rule applies to the case where a party pays money in ignorance of circumstances with which the receiver is acquainted, and does not disclose, and which, if disclosed, would have prevented the payment. In that case, the parties do not deal on equal terms ; and the money is held to be unfairly obtained, and repayment may be compelled. It applies also to the case, where a person takes a guaranty from a surety, and conceals from him facts which go to increase his risk, and suffers him to enter into the contract under false impressions. Such concealment is held to be fraud, and vitiates the contract.

But, if the defects in the article sold, are open equally to the observation of both parties, the law does not require the vendor to aid and assist the observation of the vendee. Even a warranty will not cover defects that are *plainly the objects of the senses* ; though if the vendor says or does any thing whatever, with an intention to divert the eye, or obscure the observation, of the buyer, even in relation to open defects, he will be guilty of an act of fraud. An inference of fraud may be made, not only from deceptive assertions and false representations, but from facts, incidents, and circumstances, which may be trivial in themselves, but decisive evidence, in the given case, of a fraudulent design.

When, however, the means of information relative to facts and circumstances affecting the value of the commodity, are equally accessible to both parties, and neither of them does or says any thing tending to impose on the other, the disclosure of any superior knowledge which one party may have over the other, as to those facts and circumstances, is not requisite to the validity of a contract. There is no breach of any implied confidence, that one party will not profit by his superior knowledge, as to facts

and circumstances open to the observation of both parties, or equally within the reach of their ordinary diligence ; because neither party reposes in any such confidence, unless it be specially tendered or required. Each one, in ordinary cases, judges for himself, and relies upon the sufficiency of his own knowledge, skill, and diligence.

The common law affords to every one reasonable protection against fraud in dealing, but it does not go to the romantic length of giving indemnity against the consequences of indolence and folly, or of careless indifference to the ordinary and accessible means of information. It reconciles the claims of convenience with the duties of good faith, to every extent compatible with the interests of commerce ; meaning by the term commerce, every kind of ordinary intercourse in the way of business transactions.

This it does, by requiring the purchaser to apply his attention to those particulars which may be supposed within the reach of his observation and judgment ; and the vendor to communicate those particulars and defects which cannot be supposed to be immediately within the reach of such attention.* Chancellor Kent is of the opinion, that the common law has carried the doctrine of disclosures by each party in the formation of the contract of sale, to every reasonable and practicable extent, that is consistent with the interests of society.† “The only difference” (in regard to disclosures) “between writers on the highest branches of the moral law, and the doctrines of our own judicial tribunals is, that, while both hold it to be the *duty* of the seller to disclose all the defects or impairing circumstances *within his knowledge*, the common law, on account of the difficulty of enforcing the rule in *all* cases, and the disorders it might sometimes occasion in society, draws a line of distinction between circumstances which are open equally to the observation of both parties, and those which are within the knowledge and reach of one alone. The concealment of the latter it punishes.”‡

On this subject, the civil law, as stated by the learned and

* Kent's Commentaries on American Law, Vol. II. pp. 377 - 380.

† Idem. Vol. II. p. 384.

‡ Manuscript Lecture of Professor Greenleaf, of Harvard University.

accurate Pothier, which is the law of the greatest part of continental Europe, and the basis of the code of Louisiana, is rather more severe in its requisitions, than the common law of England or of the United States. He says, “Although, in many transactions of civil society, the rules of good faith only require us to refrain from falsehood, and permit us to conceal from others that which they have *an interest* in knowing, *if we have an equal interest in concealing it* from them, yet in *interested* (pecuniary) contracts, among which is the contract of sale, good faith not only forbids the *assertion of falsehood*, but *all reservation* concerning that which the person with whom we contract has an *interest* in knowing, touching the thing which is the subject of the contract.”* “In the application of this rule, the same commentator is of opinion, that the seller is obliged to disclose to the buyer every circumstance within his knowledge relating to the subject, which the latter has an interest in knowing ; and that he sins against the good faith which ought to reign in these transactions, if he conceals any such circumstances.” †

2. There are, too, some branches of our own law, which, in regard to contracts, are said to be more strictly in conformity with the decisions of an enlightened conscience, than the common law. This is affirmed to be true of equity jurisprudence. ‡ Yet this superior perfection, claimed in behalf of equity, pertains rather to the means and facilities, which it is permitted to use, in order to attain its end, to the manner in which it grants relief and applies its remedies, and to the extent of its jurisdiction, than to the object at which it aims ; to wit, the attainment of the greatest possible measure of justice and rectitude, — which object is not less the aim of the common law. There are “latent frauds and concealments, which the process of courts of common law is not adapted to reach.” The object of equity is, to open the breasts of parties, and “courts of equity address themselves to the conscience of the defendant, and require him to answer, upon his oath, the matters of fact stated in the bill, if they are within

* Wheaton's Reports, Vol. II. p. 185, note.

† Manuscript Lecture of Professor Greenleaf, of Harvard University.

‡ Kent's Commentaries on American Law, Vol. II. pp. 382 - 385.

his knowledge ; and he is compellable to give a full account of all such facts, with all their circumstances, without evasion or equivocation.”*

Again, the law of marine insurance is another branch of our law, for which this superior perfection has been claimed. But the contract of insurance is formed upon principles peculiar to itself ; and the common-law doctrine of sales, and the doctrine of insurance, are each perfectly consistent with the facts, and the mutual understanding, which they respectively assume. In an insurance contract, an unreserved disclosure of all the circumstances is required by the nature of the case, and by the mutual understanding of the parties. This will be more fully illustrated by observing, that, in making an insurance contract, the insurer is essentially *passive*, and is known to act, and professes to act, upon the information of the insured. In this kind of contract, the special facts, upon which the contingent chance is to be computed, lie almost always in the knowledge of the insured only. The insurer trusts to his representation, and proceeds in the confidence, that he does not withhold any circumstance within his knowledge. Even if the suppression happens through mistake, and without any intention of fraud on the part of the insured, the policy is void. The common law punishes only for intentional concealment of defects, or silence respecting them, in cases in which information is not equally accessible to both parties.

The standard of morals, too, set up for the commercial community by the commercial law, is very high. “ It is one of the cardinal principles of commercial law, that *all its affairs must be conducted with perfect good faith.*” Again, “ It is the aim of all law to secure the observance of good faith in *all* transactions. The law is said to abhor fraud everywhere, in all its degrees ;— it requires of the suppliant for justice, in *any* form, that he should approach its altars with clean hands. But, where the necessity for the rule is the most pressing, and the temptations to evade it the most severe, the law, perhaps in compassion to human infirmity, employs the greatest vigilance, and exacts the most inviolate

* Story's Equity Jurisprudence, Vol. I. pp. 25 - 30.

integrity. Hence, the prominent rank which this principle holds in mercantile law, and the high and commanding tone of its stern morality in the rules it prescribes for the government and conduct of merchants." In regard to the numerous and important agencies known to mercantile transactions, the law with evident reasonableness requires, "that the trust of every agent be executed with the most scrupulous fidelity and exactness; that he pay careful obedience to the orders of his employers; that he consult their advantage in matters referred to his discretion; that he execute their business with all the despatch that circumstances will admit; that he be early in his intelligence, distinct in his accounts, and punctual in his correspondence." These injunctions apply to every one who undertakes to transact the business of another, or to perform for him any act on which his interest depends. "To remove all temptation from the agent to violate the rule requiring his intercourse with his principal to be open, frank, pure, prompt, and even above suspicion, which is so necessary to the security of trade and commerce, the law allows him, in no case, to enrich himself beyond his stipulated or customary compensation, by the property confided to his care." "The law requires at his hands the most inviolable integrity, and, to preserve him from the temptation to do wrong, it puts it out of his power to do it with success." *

Thus every branch of the law enforces the precepts of good morals, so far as it is in its power to enforce them. But its power is limited; it cannot reach the many duties that belong to the class of imperfect obligations; these must be left to the consciences of individuals. Their nature is such, that human laws do not and cannot undertake to enforce them; and in this respect the rules of no department of the law, are so perfect as the dictates of conscience; and the sphere of morality is more enlarged than the limits of civil jurisdiction.†

3. The principles of Christian morals are recognised *as the standard* of the rules of law, and every contract or agreement *inconsistent with good morals* in a very extensive use of that

* Manuscript Lecture of Professor Greenleaf, of Harvard University.

† See p. 31.

phrase, is against law, and void. “The reports, in every period of the English jurisprudence,” says Chancellor Kent, “abound with cases of contracts held illegal on account of the illegality of the consideration; and they contain striking illustrations of the general rule, that contracts are illegal when founded on a consideration *contra bonos mores*, or one against the principles of sound policy, or founded in fraud, or in contravention of the positive provisions of some statute law.” The Roman law contains the same salutary doctrine. “*Pacta, quæ contra leges constitutionesque, vel contra bonos mores fiunt, nullam vim habere, indubitati juris est.*” * “*Pacta, quæ turpem causam continent, non sunt observanda.*” † It will be instructive to review the several classes of contracts and agreements adverted to by this learned jurist, and, to this end, I shall freely avail myself of the assistance of Mr. Justice Story, of the Supreme Court of the United States.

(1.) Contracts are illegal and void, which are against good morals, religion, or public rights. It is not necessary, that such contracts should be prohibited by statute; it suffices to render them void, that they are founded upon considerations of moral turpitude. ‡ The rule of the Roman law quoted in the preceding paragraph, is nothing more than the language of universal justice. It applies a preventive check, by withholding every encouragement from wrong, and aims thereby to enforce the obligations of virtue. “For although the law, as a science, must necessarily leave many moral precepts as rules of imperfect obligation only, it is most studious not thereby to lend the slightest countenance to the violations of such precepts. Wher-

* Cod. Lib. II. tit. 3, 6.

† Dig. Lib. II. tit. 14, 27, § 4.

‡ This principle of contracts reflects light upon the doctrine of promises as discussed in the last chapter. For, if a contract, which is a *mutual promise*, is against law and void in a human tribunal, when “founded upon considerations of moral turpitude”; assuredly, a *single promise*, when founded upon the same considerations, such as the case mentioned at p. 210, prompted by unhallowed passions, violating decency, against public policy in the best sense of that phrase, and tending to corrupt society, must be against good morals and void in the tribunal of conscience. Perhaps, the case mentioned at p. 210, ought to be regarded as a *contract* between the parties, and if so, it was not binding, on the general principle, that “contracts founded upon considerations of moral turpitude” are not binding.

ever the divine law, or positive law, or the common law, prohibits the doing of certain acts, or enjoins the discharge of certain duties, any agreement to do such acts, or not to discharge such duties, is against the dearest interests of society, and, therefore, is held void ; for otherwise the law would be open to the just reproach of winking at crimes or omissions, or tolerating in one form, what it affected to reprobate in another.” Hence, all contracts (including bonds and other securities) for the printing and circulation of irreligious and obscene publications ; contracts to promote or reward the commission of crimes ; contracts to corrupt or evade the due administration of justice ; contracts to defraud the public agents, or to defeat the public rights ; all gaming contracts ; and, in short, all contracts which in their nature are founded in moral turpitude, and are inconsistent with the good order and interests of society, are invalid, and incapable of confirmation and enforcement.*

(2.) In like manner, agreements which are founded upon violations of public trust or confidence, or the rules adopted by courts in furtherance of the administration of public justice, are held void. Thus, an agreement made for a remuneration to commissioners, appointed to take testimony, and bound to secrecy by the nature of their appointment, upon their disclosure of the testimony so taken, is void. So, an assignment of the half-pay of a retired officer of the army is void ; for it operates as a fraud upon the public bounty. Agreements, founded upon the suppression of criminal prosecutions, fall under the same consideration ; for they have a manifest tendency to subvert public justice. So, wager contracts, which are contrary to sound morals, or injurious to the feelings or interests of third persons, or against the principles of public policy or duty, are void.†

(3.) Contracts for the buying, selling, or procuring of public offices are inconsistent with the principles of sound policy, and are, therefore, illegal and void. It is obvious, that all such contracts must have a material influence to diminish the respectability, responsibility, and purity of public officers, and to introduce a system of official patronage, corruption, and deceit,

* Story's Equity Jurisprudence, Vol. I. p. 293, 294.

† Idem, p. 291.

entirely at war with the public interests. The confidence of public officers may thereby not only be abused and perverted to the worst purposes, but mischievous combinations may be formed to the injury of the public, and persons introduced into the public offices, or retained in them, who are utterly unqualified to discharge the proper functions of their stations. Such contracts are justly deemed contracts of moral turpitude; and are calculated to betray the public interests into the hands of the weak, the selfish, the cunning, and the profligate. They are, therefore, held utterly void, as contrary to the soundest public policy; and, indeed, as a constructive fraud upon the government. They are against the spirit of the constitution of a free country, whose offices ought to be filled by fit and well-qualified persons, recommended for their abilities, and from motives of disinterested purity. It has been well remarked, that there is no rule better established (in law and reason, however much it may be otherwise in practice,) respecting the disposition of every office, in which the public are concerned, than this; *Detur digniori*. On principles of public policy, no pecuniary consideration ought to influence the appointment to such offices. It was observed in ancient times, that the sale of offices was one of the leading causes which accomplished the ruin of the Roman republic. *Nullâ aliâ re magis Romana respublica interiit, quam quod magistratûs officia venalia erant*.*

(4.) There are certain illegal and void contracts of a miscellaneous character, which deserve a passing notice in this connexion. Such are contracts made in evasion or fraud of the laws of the country, or against its public policy and interest. This principle embraces, not only contracts arising immediately from, and connected with, an illegal transaction, but, within certain limits, new contracts, if they are in part connected with the illegal transaction, and arise immediately from it. It embraces, too, “agreements, whereby parties engage not to bid against each other at a public auction, especially in cases where such auctions are directed or required by law, as in cases of sales of chattels or other property on execution.” Such agreements

* Story's Equity Jurisprudence, Vol. I. pp. 292, 293.

“operate virtually as a fraud upon the sale ; they are unconscientious (against conscience) and against public policy, and have a tendency injuriously to affect the character and value of sales by public auction, and mislead private confidence.” So, if the artifice of by-bidding is resorted to at an auction to enhance the price, and deceive the real bidders, and they are in fact misled, the sale will be held void, as against public policy. Again, gaming contracts are not only prohibited by statute, but are, in their nature, highly immoral, as the practice of gaming tends to idleness, dissipation, and the ruin of families. “No one has doubted, that, under such circumstances, a bill in equity might be maintained, to have any gaming security delivered up and cancelled.” And it is settled, “that, if money is paid upon a gaming security, it may be recovered back, for the security is utterly void. The Roman law, too, contains a most salutary enforcement of moral justice upon this subject. “It not only protects the loser against any liability to pay the money won in gaming ; but, if he has paid the money, he and his heirs have a right to recover it back at any distance of time, and no presumption or limitation of time runs against the claim.” *

(5.) The learned author to whose aid I am indebted for several of the last paragraphs, has examined the question, how far a contract of sale is rendered invalid, by the circumstance of the seller's knowing, at the time of the sale, that the article sold is to be converted by the buyer to an unlawful and immoral purpose. The general doctrine is well settled, that the consideration for which a contract is made must be legal, and even meritorious, consistent with good morals, and not against public policy and the interests of society. But the result of the “decisions” seems to be, “that mere knowledge of the illegal purpose for which goods are purchased, will not affect the validity of the contract of sale of goods intended to be smuggled into a foreign country, even in the courts of that country.” It seems, that, to render the contract invalid, “there must be some participation or interest in the act itself.” And yet, in an extreme case, Chief Justice Eyre said, that the seller “would not be allowed to

* Story's Equity Jurisprudence, Vol. I. pp. 290, 302, 303. — Conflict of Laws, p. 205.

maintain an action upon his contract," because, the consideration of the contract, though in itself good, was, in the case in question, tainted with turpitude, which destroyed the whole merit of it. "Other cases," continues he, "where the means of transgressing a law are furnished, with the knowledge, that they are intended to be used for that purpose, will differ in shade more or less from this strong case; but the body of the color is the same in all. Upon the principles of the common law, the consideration of every valid contract must be meritorious. No man ought to furnish another with the means of transgressing the law, knowing that he intended to make that use of them." Every good man must unite with Mr. Justice Story, in commending "the sound sense, sound morals, and enlarged policy of this doctrine." It is, as he well says, "almost irresistible to the judgment." Again, on another occasion, in the Court of King's Bench, Lord Ellenborough said, "If a person sell goods with a knowledge, and in furtherance of the buyer's intention to convey them upon a smuggling adventure, he is not permitted by the policy of the law to recover such a sale." In this opinion the other members of the court concurred. One of them added, "If a principal sell articles in order to enable the vendee to use them for illegal purposes, he cannot recover the price." The latest English decision has firmly sustained the same doctrine.*

(6.) It may be well to illustrate this subject still further, by adverting "to the nature and extent of the relief which will be granted to persons, who are parties to agreements or other transactions against public policy, and, therefore, are to be deemed *participes criminis*." "The old cases often gave relief both at law and in equity, where, without such relief, the party would derive an advantage from his iniquity." But in the more modern administration of justice, a more severely just, and probably politic and moral rule, has been generally, though not universally, adopted; which is, to leave the parties where it finds them, giving no relief, and no countenance, to claims made under illegal contracts and other illegal transactions. "But, in cases where the agreements or other transactions are repudiated, on account of

* Story's "Commentaries on the Conflict of Laws," pp. 209, 210.

their being against public policy, the circumstance, that the relief is asked by a party who is *particeps criminis*, is not in equity material. The reason is, that the public interest requires, that relief should be given ; and it is given to the public through the party. And in these cases relief will be granted, not only by setting aside the agreement or other transaction ; but in many cases, by ordering a repayment of any money paid under it." The most effectual way of discountenancing and suppressing illegal contracts (the same may be said of promises) and other like transactions is, to leave the parties without remedy against each other, and thus introduce "a preventive check, naturally connected with a want of confidence, and a sole reliance upon personal honor. And so, accordingly, the modern doctrine is established. Relief is not granted, where both parties are truly *in pari delicto*, (equally guilty,) unless in cases where public policy would thereby be promoted."*

CHAPTER VII.

THE DUTY OF MUTUAL ASSISTANCE.

CICERO quotes, with much commendation, the sentiment from Plato, that we are not born for ourselves alone, but that our country and our friends may both rightfully claim a share in us, — that is, in our affections and our exertions. † This sentiment of Plato, by which we are exhorted to look beyond ourselves and the immediate objects of our personal interest, so far as to embrace our friends and our country in the more ample pale of our regard, is expanded and extended in the Christian Scriptures, in a manner entirely unknown to antiquity ; ‡ and so as to make it our duty to embrace all mankind, of whatever complexion, name, or condition, in the unlimited sphere of our good-will. "All things whatsoever ye would that men should do to you, do ye even so

* Story's Equity Jurisprudence, Vol. I. pp. 295 - 298.

† De Officiis, Lib. I. c. 7.

‡ See pp. 44 - 50.

to them ; for this is the law and the prophets.”* “ As we have therefore opportunity, let us do good unto all men, especially unto them who are of the household of faith.”† Again, “ I say unto you, love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you and persecute you ; that ye may be the children of your Father which is in heaven ; for he maketh his sun to rise on the evil and on the good, and sendeth rain on the just and on the unjust. For if ye love them” (only) “ which love you, what reward have ye ? Do not even the publicans the same ? And if ye salute your brethren only, what do ye more than others ? Do not even the publicans so ? Be ye therefore perfect ” (in your good-will), “ even as your Father in heaven is perfect.”‡ Moreover, the parable of the good Samaritan teaches us, that we are to make ourselves useful to all men without distinction, as circumstances may require, and occasion may be presented. I propose to review some of the ways by which we may exercise and make manifest this expansive good-will ; and, to this end, convenience and clearness will be consulted, by distributing what I have to say into several distinct sections.

SECTION I.

ASSISTANCE GIVEN IN THE WAY OF ADVICE.

Men may render one another much mutual aid by advice, good counsel, encouragement, &c., given in a spirit of sympathy and friendship. We have only to look into the records of biography to be convinced, that much good may be done in this way, to the young, the ignorant, the retiring, and the inexperienced. As ships at sea without a helm are driven in whatever way the winds and currents may chance to waft them, so the course of such persons is generally unsettled, and is often turned in a particular direction by a single observation, let fall by an individual of superior talents, experience, and influence. General remarks of this kind, however, are accustomed to make but a slight impression,

* Matt. vii. 12

† Gal. vi. 10

‡ Matt. v. 44 - 48.

when unaccompanied by circumstantial details ; I presume, therefore, I may be permitted to illustrate this observation, by advert- ing to a particular instance, as instructive as it is authentic.

The renown of the celebrated Roger Sherman, of Connecticut, is known to us all ; he was a distinguished statesman, and one of the signers of the Declaration of American Independence. His biographer says of him ; — “ Mr. Sherman, at the first period of his professional elevation, could not fail to recur with pleasing and grateful emotions to the moment when he, perhaps for the first time, appeared in the presence of a lawyer, for the purpose of procuring his advice. A neighbour or acquaintance, in transacting some affairs relative to the family of a deceased person, required the assistance of legal counsel. As Mr. Sherman, then a young man, was going to the county town, he was commissioned to obtain it from an eminent lawyer. To prevent embarrassment, and secure the accurate representation of the case, he committed it to paper, as well as he could, before he left home. In stating the case, the gentleman with whom he was consulting observed, that Mr. Sherman frequently resorted to a manuscript which he held in his hand. As it was necessary to make an application, by way of petition, to the proper tribunal, he desired the paper to be left in his hands, provided it contained a statement of the case from which the petition might be framed. Mr. Sherman consented with reluctance, telling him, that it was merely a memorandum drawn up for himself, for his own convenience. The lawyer, after reading it, remarked, with an expression of surprise, that, with a few alterations in form, it was equal to any petition which he could have prepared himself, and that no other was requisite. Having then made some inquiries relative to Mr. Sherman’s situation and prospects in life, he advised him to devote his attention to the study of the law. But his circumstances and duties did not permit him to follow this counsel ; the numerous family, which the recent death of his father had made, in a considerable degree, dependent on him for their support and education, required his constant exertions in other employments. But the intimation which he then received, that his mind was fitted to higher pursuits, and that he probably possessed talents adapted to the trans-

action of public business, no doubt induced him, at that early period of life, to devote his leisure moments to those studies which led him (from being a shoe-maker) to honor and distinction."* A careful examination of biography in general, could not fail to bring to light many similar instances; and how many more must have occurred, which never found their way into the collections of biography.

SECTION II.

ASSISTANCE GIVEN IN THE WAY OF OUR EMPLOYMENTS AND PROFESSIONS.

Men may mutually assist one another by rendering aid in the way of their employments or professions. Especially is this the case with members of the more liberal professions and employments; such as legislators, officers of various grades in the civil, military, and naval service, lawyers, physicians, clergymen, &c. A legislator has it in his power to accomplish salutary reforms by introducing remedies for existing evils and abuses, and to contribute to the welfare of his country by originating and advocating wise and salutary measures. Frequently, too, individuals, and classes of men, have just private interests to be advanced by legislation, and in this way the office of legislator may subserve the claims of private justice. A civil magistrate, (a justice of the peace, for instance,) who unites a requisite share of legal information with industry, firmness, consistency, and perseverance, may be of the greatest service to his entire neighbourhood, by a vigorous, impartial, and at the same time temperate administration of the laws. An upright and active magistrate is no ordinary blessing to the community in which he resides. Such magistrates "are for the punishment of evil doers, and for the praise of them that do well."†

A lawyer may do great good to his neighbourhood by advising the amicable adjustment of disputes, and lending his aid to this effect; and particularly by discouraging suits between near

* Sanderson's Lives of the Signers of the Declaration of Independence, Vol. III. p. 210.

† 1 Peter ii. 14.

relatives, and such as appear to originate in motives of personal pique, malice, or revenge. He may be useful, too, in cases where suits are inevitable, in allaying the bitterness and animosity of the contending parties. On the other hand, no man has it in his power to disturb society so much as the lawyer, by exciting animosities, fomenting quarrels, and otherwise stirring up the elements of discord. "It is scarcely possible," says Gisborne, "to calculate the injury done to individuals and to the public, by a lawyer who foments quarrels and encourages litigation; who takes fraudulent advantages; who imposes on the simplicity of witnesses; who heaps expenses on his employers by recommending needless consultations, by promoting artificial delays and suggesting circuitous methods of proceeding, by drawing out deeds and other instruments to an extravagant and unnecessary length, and by immoderate charges for his personal trouble and attendance; who betrays the private concerns of one man, or of one family, to another; or practises any of the innumerable devices of unprincipled chicanery, by which contests are excited or prolonged, the demands of justice resisted or eluded, and dishonest emoluments obtained or pursued."*

The spiritual functions of the clergy, bring them into friendly and confidential relations with every class of mankind, from the humblest to the highest; and this peculiarity in the nature of their office gives them constant facilities for rendering themselves useful to every grade of society, by promoting peace, giving instruction and advice, and administering consolation to all, as occasion is from day to day presented. Every member of a congregation may well expect to find in his pastor a friend and a confidential adviser; a man "ready to every good work."† No one of the private professions, however, puts it in a man's power to do so much good at a small expense, as the profession of medicine. Health, which is precious to men of every condition, is to the poor invaluable, — it is their all. And with respect to expense, the price of medicines, at first hand, is small, and the cost of advice is nothing, where it is given to those only who are without the means of paying for it.‡

* Inquiry into the Duties of Men in the higher Classes of Society in Great Britain, Vol. I. p. 342.

† Titus iii. 1.

‡ Paley's Moral and Political Philosophy, p. 169

SECTION III.

ASSISTANCE GIVEN IN THE WAY OF JUDICIOUS PATRONAGE
AND ENCOURAGEMENT.

Much good may be done in the way of patronage and encouragement judiciously bestowed on worthy persons, either by giving them business, introducing them to those who have business to give, furnishing them with loans of money to be repaid after some time, with or without interest, giving them an education, or aiding them in obtaining one, &c. Many, in every age, who have been eminently useful and successful in life, have testified, that they were indebted for all their success, and consequently for their usefulness, to the timely assistance given them by an individual, or a few individuals, in the way of business intrusted to them. A mere introduction and recommendation to men engaged in extensive business, and having much occasion, therefore, to employ others, has often led to the like result. On the other hand, thousands of meritorious young men, who might have been useful and valuable citizens, perhaps ornaments to their country, have sunk under depression, despondency, and despair, for want of the timely assistance and encouragement, which many had it in their power to bestow.

If it were necessary to do more than simply to advert to these ways of doing good, to show their importance, many interesting examples, illustrative of them, might be adduced. Instances must be within the recollection of every well-informed man, of many persons, who have been brought forward under the patronage of individuals, and by whose future career their country has been immensely advanced in the arts, in literature, in the sciences, in manufactures, in commerce, and in every other branch of useful or ornamental labor and enterprise. Many most useful inventions and discoveries have originated in similar patronage, bestowed on men of genius and enterprise by private individuals. Even the discovery of this continent sprung from the private patronage and encouragement bestowed on the enterprise by the queen of Spain. The records of history and biography are crowded with examples of genius, talent, and enterprise, encour-

aged and cherished by private patronage. If there were no other instances, those of Arkwright and Fulton might suffice to recommend this way of being useful.

Again, in respect to the utility of loans, the celebrated Dr. Franklin ascribes all his success and usefulness in life to his being aided in this way. He says, in his Will, "I was assisted to set up my business in Philadelphia by kind loans of money from two friends there, which was the foundation of my fortune, and of *all the utility in life* that may be ascribed to me ; and I wish to be useful, even after my death, if possible, in forming and advancing other young men that may be serviceable to their country." To this end, he bequeathed £2000 sterling to be loaned to young artisans in perpetual succession, and on a plan which is a just subject of curious interest.*

But of all the methods, by which men may make themselves useful in their day and generation, no one is so fruitful in its returns of good, as gratuitous education, bestowed on those who must otherwise be without this blessing. All who have the command of money, may make themselves useful in this way. It is, also, in the line of the profession of clergymen, of the presidents and professors of our colleges, and masters of academies and schools, to benefit the community in the same way ; and well have they used this talent intrusted to their guardianship. The number gratuitously educated by them has been very great. We have been accustomed, of late years, to hear many complaints ; in regard to the abuse of *bequests* made to encourage education, and it is not to be denied, that there has been too much foundation for complaints of this kind. Any abuse of this class of trusts is injurious in a tenfold degree, as it tends to prevent the appropriation of private wealth to advance education, when, at the approach of death, it can no longer be enjoyed by its proprietors.

But flagrant abuses of this kind have been comparatively infrequent, much less have they been general ; and, as a set-off against such abuses, there must be multitudes of instances, of an opposite character, scattered through the country, of which my limits

* Franklin's Works, Vol. I. p. 515.

permit me to cite but one. "About forty years since," says the present assistant Bishop of Virginia, "there died in this country, a pious man, who had spent his life in the instruction of youth, and thereby accumulated a handsome fortune. Having no family, he left the greater part of his property, viz. fifteen thousand dollars, to one of our colleges, directing that the interest of the same should be used in the education of poor and pious youths for the ministry of the Gospel. The will has been religiously observed, and some years since it was stated, that, by its means, one hundred and fifty pious youths had been admitted into the service of the sanctuary. And who shall estimate," continues the author, "the good which those preachers have done, and shall do, the thousands and hundreds of thousands, they have been, or will be, the instruments of converting, the hundreds and thousands of other pious youths, whom they may bring into the service of God, and all the good they also may do; and who shall say how much of the happiness of this exalted saint may come from the knowledge of all this good, how rejoiced his angelic spirit may be in the society of those who have been converted under the ministry of his own raising, and who are now among the redeemed above?"*

SECTION IV.

ASSISTANCE IN THE WAY OF ALMSGIVING.

That it is a duty to relieve the suffering poor, can admit of no question in the mind of a Christian. No duty is more frequently or more earnestly insisted on in the New Testament than almsgiving. "Give alms of such things as ye have; and behold, all things are clean unto you."† "Charge them," says St. Paul, "that are rich in this world, that they be not high-minded, nor trust in uncertain riches, but in the living God, who giveth us richly all things to enjoy; that they do good,

* Rt. Rev. William Meade's Sermon before the Convention of Virginia, 15th May, 1828.

† Matt. xi. 41.

that they be rich in good works, ready to distribute, willing to communicate ; laying up in store for themselves a good foundation against the time to come, that they may lay hold on eternal life.”* “ Whoso hath this world’s good, and seeth his brother have need, and shutteth up his bowels of compassion from him, how dwelleth the love of God in him ?” †

Besides laying down the duty of almsgiving, in absolute terms, our Saviour has guarded us against bestowing alms from an unworthy motive, — we are not to give alms to be seen of men. ‡ We are, moreover, *to give alms upon a plan* ; § that is, upon a deliberate comparison of our means with the reasonable expenses and expectations of our families ; to compute what we can spare, and to lay by so much for almsgiving in one way or another. ||

With these directions, guarding us against the unworthy motive most likely to beset us, and recommending the doing of the duty upon a plan most calculated to render it effectual, we are left to judge for ourselves, to consult our own reason and experience in regard to the limits of the duty, the proper subjects of it, the most suitable occasions for its exercise, and the manner and other circumstances of performing it. Almsgiving is a practical problem, and few, if any, practical problems in morals have been found more difficult than this ; which is, *to relieve the suffering poor effectually, and, at the same time, not to minister to vice and the increase of pauperism.* With much diffidence, therefore, I present the results of careful study and reflection on this part of the subject.

I begin with observing, that the proper objects and principles of Christian almsgiving are among the great topics, which have lately engaged, and are now engaging, the attention of some of the best minds in Europe, and in our own country. A few years only have passed away, since the great questions respecting the poor were, what provision must of necessity be made for them in view of their *increasing numbers*, and of the consequent *expense* to be incurred for them ? And, how are they most

* 1 Tim. vi. 17–19.

† 1 John iii. 17.

‡ Matt. vi. 1.

§ 1 Cor. xvi. 2.

|| Paley’s Moral and Political Philosophy, p. 142.

cheaply to be fed, and clothed, and saved from that desperation of want, under which lawlessness, and depredations, and every form of violence are to be apprehended? And the leading measures, resorted to for the resolution of these questions, were, as far as philanthropists were concerned with them, the establishment of institutions for feeding the hungry, and clothing the naked, at the smallest possible cost; and, where eleemosynary provisions of this kind were found inadequate, legislative aid was invoked in the form of new poor laws, or the modification and fresh adaptation of those existing, to new demands, circumstances, and emergencies.

I do not mean to say, or to imply, that in the times to which I refer, there was not much very active and very wise almsgiving. But I do mean to say, that almsgiving was too generally under a very unwise direction; that the true principles of Christian almsgiving were not understood, as they are now understood; that incidental, but great evils had sprung up under this injudicious course of action, and were growing, and continually becoming more aggravated; that they were extensively and deeply felt, but that their true causes were not, until lately, extensively or clearly perceived. The conviction is now deep and strong in many minds, and is extending, that no great and permanent improvement of outward condition among the poor is to be expected, but *through an improvement of character*; that the best resources for improving their condition are *within themselves*; that they often need enlightenment respecting these resources much more than alms; that alms may be a means of perpetuating poverty, and even of ministering to vice.

I shall avail myself of the most successful and authoritative of the late investigations to which I refer; and attempt to combine and illustrate the results, which seem to be well established, or entitled to the greatest confidence. In doing this, I shall examine, — I. The chief abuses of almsgiving. II. Discuss the chief modes of almsgiving, — which, if judiciously conducted, will unquestionably benefit the poor.

I. My *general* position, in regard to the abuses of almsgiving, may be laid down thus. Almsgiving is abused, whenever it ministers in any way to a neglect of forethought and providence;

to idleness, pride, or vanity ; or to luxurious and intemperate appetites ;—when it encroaches in any degree upon the feelings of a healthy self-respect, or a regard to character ;—and when it in any degree lessens in the receiver the feeling, that it is disgraceful to depend upon almsgiving, as long as a capacity of self-support is retained.

It would be easy to enumerate *specific* abuses both of public and private almsgiving. We all must have met with but too many of them, even in the small circles in which we have moved. There are, in every country, individuals and heads of families, capable of labor, who will not toil themselves, while they can live upon the toil of others. They are indisposed to any effort which they can avoid. Rather than work, they will live upon alms. There are those, too, who might live in great comfort upon their earnings, if they were willing to live within the compass of their earnings. In other words, they might live in great comfort upon their earnings, if they would deny themselves what they cannot afford, and were willing to appear to be simply what they are. But they aim at appearances, which their circumstances do not justify. They would not only find their condition to be a very comfortable one, but they would revolt from the thought of dependence upon alms, if they felt a proper self-respect, and were under the guidance of a higher principle of right, honor, and duty. To give alms to such persons as these, I say, is an abuse of almsgiving. They need rather a ministration to their self-respect and sense of duty.

Again, there are those, and they are not a few, who, in cases of occasional and even considerable failures of employment, might pass through those seasons entirely without the aid of alms, if they would, while they have employment, but look to the seasons when employment will probably fail them, and appropriate, for these seasons, what might well be spared from their earnings. And would not almsgiving here be at least a ministration to thriftlessness ? I need not say, also, what multitudes there are, who, if they would but wholly relinquish the use of spirituous liquors, would never require the aid of alms for their comfortable subsistence. Nay, it may be, that they are in no small degree induced to continue in their intemperance and wastefulness, by their

knowledge of the fact, that when pressed by want, they can avail themselves of alms. Now it is well known, it cannot be concealed, that injudicious almsgiving, has not only relaxed the main spring of industry in many a mind, it has not only acted as a bounty upon idleness, upon intemperance, and upon willing and unnecessary dependence, but it has even led to and encouraged the grossest deceptions, imposture, and recklessness.

Let it be known, that funds are provided for the various objects of human necessity, and these funds will be applied for; and supply, in this case, will indefinitely increase demand. It would be very unreasonable to look for any different result. If no necessity shall be felt, in the spring, summer, and autumn, of provision for winter, on what ground are we to expect that such provision will be made? We shall in vain teach economy by words, where the necessity of it is superseded by the free supply of those wants, which the individual could himself have supplied, merely by an economical use of his own resources.

Nor have parents and adults only been thus injured, perverted, and brought to indolence, thriftlessness, and debasement. Children have been, to a very great extent, made beggars, through the facilities and excitements which are given to beggary. I say, therefore, that to give to one who begs, because he had rather beg than work; or to give to one who is not too proud to beg, and yet is too proud to live and appear as he must, if he lives upon his own earnings; or to give to those who might support themselves, if they would but look to the future, and economize in preparation for it; or to give to the intemperate, who, simply by abjuring the use of spirituous liquors, might be independent of all eleemosynary aid; or in any way to supersede the necessity of industry, of forecast, and of proper self-restraint and self-denial, is at once to do wrong, and to encourage the receivers of our alms to do wrong. It is patronizing pauperism, and, it may even be, great vice.

I have before said, that almsgiving is one of the highest, and, in the records of our religion, one of the most frequently and impressively inculcated, of our duties as Christians. I would, therefore, by every proper means increase, and would on no consideration do any thing to diminish, our sense of its obligation.

But it is proper, that we feel our responsibility, *as well in regard to the evils which may be incidental to it*, as to the good which may be done by it. We must not, therefore, shrink from the fullest view which can be obtained of these evils. We know, that it has been abused by many to whom it has been extended; and it is well if we can say, that it has never been abused by ourselves, through the want of care and good judgment with which we have exercised it. In speaking of its abuses, it is, therefore, to be remembered, that the whole blame of them does not fall upon the poor. I would not be unjust to any one, especially to one who is poor. But I am convinced, that a clear knowledge and a faithful avoidance of the evils of an injudicious bestowment of alms, is essential to Christian almsgiving. Rightly to understand *uses* in any case, we must, also, understand what are tendencies and liabilities to *abuses* in it. We are to do what good we may, in such a manner and under such precautions, as, if possible, to avoid any evils which may be incidental to it.

II. But guided by the facts, arguments, and illustrations just given, how are we to perform the important duty of almsgiving in such a way as to attain the greatest possible good, and avoid the evils which are incidental to it? This is a grave question, and an attempt will be made to answer it as fully as my limits will permit.

1. Education of every kind, especially moral and religious education, is the most beneficial of all the modes of almsgiving. This is too plain to require, or even to admit, much illustration. The tendency of knowledge, that is, its ultimate tendency, unquestionably is, to improve the habits of those who acquire it, to elevate and strengthen their principles, and to amend all that constitutes their character. Principles and feelings, combined, make up what is called human character. And that the tendency of education is to amend this character by the influence of knowledge, and in proportion to its diffusion, there can be no doubt. Its tendency is to increase habits of reflection, to enlarge the mind, and render it more capable of receiving pleasurable impressions from, and taking an interest in, other things besides sensual gratification. This process operates likewise on the feelings, and necessarily tends to improve the character and conduct of the

individual, to increase prudential habits, and to cultivate, in their purest form, the feelings and affections of the heart.* It is admitted, that education is not always a sufficient guaranty against the commission of crime, — it is indeed a mighty instrument of either good or evil, according as it is directed. The great object of education ought to be, the cultivation of the moral feelings, habits, principles, and character.

The children of the poor, then, ought to be special objects of the care of those who take a lively concern in improving the morals and advancing the happiness of mankind. To this end, our infant-school societies are among the most useful of our institutions, in rescuing the children of paupers, and of the most profligate of the poor, from the disastrous exposures of their condition. Their object is, to take these children into their charge, even at the age of lisping infancy, and form their first associations to the knowledge and love of right, to the knowledge and practice of their duty, and to the knowledge and love of God, their Almighty Father. These schools are moral nurseries for those, who, if not gathered into them, or if left where they are, can hardly be expected, when they shall be advanced in life, to have any clear conceptions and permanent regard for right and wrong; and who certainly, if uncared for, will not be wholly accountable for their character and conduct. The responsibility will be divided between themselves and those by whom they shall have been neglected.

2. Furnishing the poor with employment, at a reasonable compensation, is another unquestionable and unexceptionable way of benefiting them. This position, also, does not seem to require much illustration. We shall diminish the demand for alms, in proportion as we can awaken a spirit of industry in those who shall apply for them, and supply those with employment who cannot otherwise obtain it; and not less, in proportion as we shall save the children of paupers from early exposure, and education in the vices, which have brought their parents to debasement and ruin.

3. Alms given by individuals in considerable sums, to merito-

* Lord Brougham's Speech in the British House of Lords, 20th June, 1834.

rious persons and families, suffering (laboring) under discouragement, depression, and misfortune, are often highly useful. By sudden or gradual fluctuations of business, by losses in commerce and manufactures, by seasons unfavorable to agriculture, by deprivation of health, by the fraud or other misconduct of persons who prove themselves unworthy of confidence, by fires, tempests, and inundations, the calamities of war, and the thousand other unforeseen contingences against which no prudence or foresight can guard, many meritorious individuals and families, in every community, are occasionally, without any fault of theirs, suddenly reduced to the most humiliating and distressed circumstances, who have all the feelings, habits, and associations of independence, of comfort, and perhaps of affluence.

Few situations are more trying and distressing than this. It not only appeals strongly to *the sensibilities and personal endeavours* of the friends of such individuals and families in their behalf, — it does much more ; at times, especially, it appeals to them for *aid still more substantial*, for loans or even benefactions of money. These are the proper occasions, on which men of wealth, and all persons in easy circumstances, may do good, by unclenching the right hand without letting the left hand know what the right hand is doing.* A benefaction may appropriately be bestowed in such cases, “*not to be seen of men,*” but *secretly*, the open and manifest reward of which is specially promised by the Almighty.†

4. Alms dispensed through the intervention of hospitals, almshouses, infirmaries, asylums, and charitable societies of various kinds. On the first four of these means of administering alms, it is not necessary to enlarge. It does not appear, that previous to the introduction of Christianity, any similar means of relieving the poor and distressed had been provided in any country.‡ They are, therefore among *the most precious fruits of Christianity*, and an imperishable honor to this divine religion. In these institutions, the suffering poor, the maimed, the halt, and the blind, the distressed and unfortunate of every class, who have none else to care for them, find a refuge, and are cared for.

* Matt. vi. 3.

† Matt. vi. 1, 4.

‡ Paley's Moral and Political Philosophy, p. 142.

The necessities which they relieve are pressing, immediate, and do not admit of delay. And, like all other institutions, they must be more effectual in the accomplishment of their exalted purpose, as their external interests and their internal administration are managed with more order, discretion, prudence, and good judgment; and according to the zeal, capacity, and character of those to whom their administration is intrusted.

The last of the means of dispensing alms, above enumerated, to wit, charitable societies, will detain me much longer. The number of these societies in the United States, in Great Britain, and other Christian countries, is very great, and they have become a most extensive means of almsgiving, in every form which it can assume. These circumstances alone would render careful inquiry into their principles and tendencies useful. Besides, the opinion has begun to prevail, and seems to be extending, not only that they have been the occasion of great waste and of great abuse of the alms which they have so munificently dispensed, but that their tendency is to increase pauperism. Effects still worse than these have been imputed to them.

Many at the present time are accustomed to reason thus. These societies, say they, are formed for the purpose of obtaining funds and dispensing alms. They are therefore known, or are supposed by the poor, to possess funds, either for general or specific objects of relief. And these funds are to be appropriated to the relief of those, who shall apply for them, and who shall seem to need them. They must, therefore, and will operate as lures to application for relief. Not only so, they invite, it is said, even those, who would reluctantly expose their necessities to a private benefactor, to join the multitude who are already recognised as habitually and willingly dependent upon alms, and thus to become themselves recognised, and willing, and habitual dependents. And yet further; in proportion as the disposition already exists in any, thus to be dependent, rather than to labor and economize, this provision not only supersedes the necessity of forethought and exertion, but, to the extent to which the provision shall be made, or shall be supposed to be made, it may be called a machine for perpetuating idleness, waste, and dependence. Even if it be supposed, that the funds thus raised

are small, still, not only will reliance be felt, and calculations be made upon them, but the expectations, formed of them and from them, will not be small.

It must be admitted, that this reasoning, sustained as it is by occasional facts, is plausible and fitted to make an impression even on a good man. That his almsgiving, which he has been taught to consider a sacred duty, should *even be suspected* to be an occasion of waste, of abuse, and of increasing pauperism; strikes him with equal surprise and dismay. Many go easily from one extreme to another; many, too, are glad of any plausible excuse for refusing to give alms. No doubt, also, there has been enough of waste and abuse of alms, to admonish all who may be concerned in their dispensation, to be distinctly on their guard, lest they justify the reasoning of those who oppose themselves against all almsgiving, and cast discouragement on this great and imperative Christian duty.

It may well be believed, indeed, that the abuses of almsgiving have been very much magnified; and it may be affirmed, with all confidence, that such abuses are *circumstantial and incidental* to it, not essential. In other terms, the abuses are owing to want of skill and experience in the dispensers of alms, and not to any thing inherent in almsgiving itself, or *in societies, as the almoners of pecuniary bounty* destined for the poor and distressed. Guided by a knowledge of human nature, and by the teaching of the past, rich as it has been in experience on this subject, the subjoined cautions and rules may be recommended to all societies instituted to collect and dispense alms, and to individuals who themselves dispense their own alms.

(1.) Let all who dispense alms keep distinctly in view *the danger of misapplying them*, and do all they can to guard against every abuse of the alms which they dispense. By this, it is not intended to sanction the maxim, that every man is to be suspected to be a knave, till he shall have proved himself to be honest. Nor is every one to be suspected to be an impostor, who asks for alms, till he shall have proved himself to be as destitute as he shall seem to be. Neither should we indulge an easy and weak credulity, which shrinks from inquiry into the necessities of an applicant for alms. We may believe of every one who seems

honest, that he may be so ; and we ought to respect honesty wherever we may find it. But, that our alms may accomplish the purposes of Christian benevolence, our eyes must not be shut to their liabilities and tendencies to evil.

(2.) Again ; it is a fundamental principle, that individuals and families, asking for alms, ought to be relieved *only at their homes, and after a personal examination of each case ; and relief in those cases, when given, ought to be given, not in money, but in the necessaries required in the case ; and street-begging is, as far as possible, to be broken up, especially begging by children.* Private individuals, indeed, cannot often do this ; but those, who dispense the extensive alms of charitable societies, must make up their minds to do it with patience and perseverance, if they expect to prevent imposture, and do the good at which they aim. The giving of alms to street-beggars is, it may be said with great confidence, *the worst of all the abuses of almsgiving.* We may well believe, and we ought to act upon the belief, that it is scarcely possible to live by street-begging, and to live virtuously. It is almost certain, that the boy, who shall be reared to beggary, will be a pauper for life ; and that the beggar girl, if not early rescued, will be irretrievably, and in the worst sense possible, ruined.

(3.) My third principle respects those who are called the able-bodied poor, and is this, — *that the alms which interfere with the necessity of industry, forethought, economy, and a proper self-denial, are not only encouragements, but causes of pauperism.* The truth upon this subject is, and the more faithfully it is regarded, the better it will be for all ; that, except the feeble, the aged, the maimed, and the diseased, the number is extremely small, who, by industry, economy, and temperance, could not provide for themselves and their families.

Among the feeble here referred to, may be included a very interesting class of women, principally widows, who have the charge of several children. Their sole dependence, except occasional alms, is either upon their needles, by which they can earn at best a dollar, or a dollar and a half a week ; or upon employment for a day, or a part of a day, whenever they can obtain it, in any of the coarse work of a family. Many of these are the

widows of men, who might have left their wives independent of alms, had they but themselves abstained from the use of spirituous liquors. But their husbands have left them broken in constitution, borne down by discouragement, utterly destitute, and surrounded by helpless and hungry children. The earnings of this class of women, with their best industry, are very precarious as well as small. At certain seasons, even with extreme economy, they could not be comfortable without alms. They are *unequivocally* proper subjects of alms.

But the number, both of men and women, is still greater, who are able-bodied, and yet apply for alms. They are not inclined to do what they can for themselves. Many of them earn enough for self-support, but expend those earnings in the haunts of waste and vice. They know little of economy, and care for it and practise it still less. They calculate, when employment shall fail them, to live upon the alms they expect to receive. It is, indeed, a delicate, and often a very painful office, to decide and act upon applications for aid, where want and even necessity, may at the time be pressing, but where it is not only perceived, that this necessity might have been avoided by a proper self-denial and economy on the part of the applicants, but that, through the continued neglect of this economy, there will be a perpetual recurrence of the very necessity which pleads for immediate relief. In respect to these cases, I can only say, that, if relief must be given, and it sometimes must be, *it should never be of a kind, or to a degree, which will make this dependence preferable to a life of labor.*

In justice to the poor it may be said, that many of them would be economical, if they knew how to be so. But they have been reared in ignorance, and indolence, and thriftlessness. It may even be, that, amidst waste and want, they have been reared to every attainable indulgence of appetite, — and, as far as females are concerned, to every attainable gratification of the love of finery and display. If these evils cannot be remedied in parents, we ought to do what we may, for their prevention in children. And I repeat, — for too great importance cannot be attached to the principle involved in the caution, — *let us take care, that we do not enable the willingly dependent to live more comfortably*

without industry and economy, by living upon our alms, than the humblest of the self-denying, who receive no alms, can live without them.

(4.) Another principle of great importance is this; — *wherever, in our intercourse with the poor, we meet with industry, with frugality, with self-respect, and with a preference of self-denial to dependence upon alms; the encouragement proper and suitable to individuals of this character is, not almsgiving in any of the forms or modifications which it can assume, but the respect and regard for character simply, which such persons will never fail to know how to appreciate.*

This, indeed, is a test by which the truth of character, in these respects, may be tried. The man or woman, who really prefers labor and self-denial to dependence upon alms, will equally prefer our simple confidence, our just appreciation of motives, and our respect expressed by treatment and conduct, rather than by words, to any alms which we could give. Let us not fail to sympathize with such a person wherever we may find him. But let us be aware, also, of the delicacy, of the care, which must be maintained, in the treatment of such a person. Any substitute for alms, which is to be appropriated to the uses to which alms are applied, however it may be disguised, may, if accepted, lead to dependence upon alms. And he is not fitted to be an almoner, who does not understand and feel, that sincere respect, sympathy, and interest will do more to improve the entire condition of the poor, than any alms which we can give them. These sentiments, and a corresponding deportment towards the poor, will save from pauperism, where the want of them will lead to, and inevitably do much to occasion, pauperism. There is no doubt, that much of the existing pauperism is to be ascribed to the fact, that respect and sympathy are given, in so great a measure, to *condition*, rather than to *character*. Multitudes, therefore, who feel that they cannot hope essentially to rise in *condition*, become reckless in regard to *character*. We ought to do what we can to remedy this evil. And, above all, let us take heed, that our alms shall not be means of undermining one right principle in the mind, or of enfeebling one of its well-directed energies.

(5.) Another principle, not less essential than either of the preceding, is, *that where there are relatives of the poor, who are able to provide for them, almsgiving should not be permitted to interfere with the duties of such relatives.* If the alms are evil, worse than thrown away, which operate as substitutes for industry and economy, in a still higher sense are they evil, because conducing to greater sin, where they interfere with, and supersede the demand for, the affections and duties, which belong to the near relations in which God places us in this world.*

It is the will of God, that, as far as they can, parents should provide for their children. It is equally his will, if parents fall into a condition of dependence, and there are children who are able, even at the cost of much labor and self-denial, to take charge of them, that parents, under these circumstances, shall be supported by their children. Law and right, indeed, require this support from more distant relatives of the impotent poor. Law, however, independent of a higher principle, cannot do much in this case. The duty is one of high *moral character*, and as such is to be early and universally inculcated. So it has been inculcated in Scotland ; and the consequence is, that, where there are no poor-laws, and no parish assessments in that country, the care of the people for their own poor relatives goes far to supersede the necessity of any other provision for them. Legal and other artificial provision for the poor, greatly checks and restrains the natural sympathies of relatives with each other's necessities. They also paralyze public sentiment upon the subject of duty in the case ; and induce a tacit approval of turning over poor relatives upon public charity, even where it ought to cover the individuals, who are guilty of it, with shame and disgrace. We ought to do all we can to counteract this insensibility ; to call up and strengthen the affections by which relatives should be bound to each other, and to show our respect for those who are faithful to the offices of kindred and neighbourhood. Here, as in the cases before adverted to, a judicious respect, and a kindly word of encouragement, are a far better tribute, than would be the most abundant alms.

* 1 Timothy v. 8.

(6.) Once more ; — *since not only a large part of the dependence upon alms, even among the virtuous poor, but nearly all our pauperism, (abject poverty,) is either immediately or remotely to be ascribed to intemperance in drinking, the question arises, and it is often a question of great difficulty, — What ought we to do, or what shall we do in the cases, in which, but for intemperance, there would be no call for alms ?* We must always distinguish between the intemperate man and his family. The wife of a drunken husband and her children may be without food, without fuel, without comfortable clothing, and wholly innocent in respect to the causes of their destitution. Or, it may be, the wife is as intemperate as her husband. Yet there are children to be housed, and clothed, and warmed, and fed, and instructed. It may be said, that our very alms will be appropriated to the rearing of these children in intemperance. To some extent, they probably will be. Yet there may be actual and pressing want of the absolute necessaries of life. Let him, who thinks it easy always to act wisely in reference to this class of cases, make himself practically acquainted with them, and give us the light of his counsel and example. The best general rule is this, — to the intemperate, whether man or woman, money should never be given. Nay more, even relief in kind should never be given to the families of the intemperate, beyond the demands of unquestionable necessity. Not that we ought to inflict upon them any suffering ; we ought, rather, to be willing and gratified instruments, as far as we can, of their rescue from all suffering. But any alms we may bestow, except with the greatest caution, will but plunge them still further in want and misery. Nay, through our own very alms, may an intemperate husband and father feel himself relieved from the necessity, and perhaps from the obligation, of providing for his wife and children.

There are cases, in which law might do far more than it has ever done for the prevention of pauperism. But, while it licenses the dram-shop, and interferes not with the victim of intemperance, to whatever pitch of wretchedness he may bring his family, while he commits no outrage against the public peace, we must still do what we can, that our alms may not minister to his yet further progress in guilt and misery. Let us seek, by all the

means of which we can avail ourselves, to recover him from his ruin. Above all, we ought never to lose our interest in his children.

5. The administration of alms by a system of poor-laws remains to be discussed, and is too important to be omitted. The great danger of systematic and established provisions for the relief of the poor, in the form of poor-laws, consists in *their tendency to deprave the poor, and thus indefinitely to extend and perpetuate pauperism.*

The history of such establishments, is full of solemn admonition on these dangers. The Reports, recently published in England, upon the poor-laws and their effects, enable us fully to understand this subject. They show, that, from the beginning and constantly, these laws have operated upon very many, as lures to seek support by alms, rather than by labor. Where there is little or no sense of character, or sense of shame, to deter from willing dependence, the temptations to it need not be great. Human wants are divine provisions for human exertions; and, where ability is possessed, and opportunity is had, for the exertions by which self-support may be obtained, it is the will of God, that man should provide for his own subsistence. Yet many are, and ever have been, disposed to live with as little labor and self-denial as possible. Many are industrious, economical, and careful for the future, only as they are compelled to be so by the absolute necessity of their condition. They are always ready to avail themselves of any circumstances, by which they can live upon easier terms than daily forethought, care, and toil. The fact stands out in bold relief, and for solemn admonition, that established provisions for the support of the poor have never failed to obtain claimants, to any extent to which such provisions have been made. And not only so, but the relief thus given has been received, not as alms, but as the proportion due to the receiver from a recognised common stock.

As yet we see these results but to a comparatively small extent in our own country. The facilities for employment and support everywhere among us are so many and great, and our population is as yet so little crowded, compared with that of Europe, that demands of this kind may be resisted here, as they cannot be

there. But we have experience enough of these results to satisfy us, that they are not fictions. It is to be considered, also, in this connexion, that every addition to the number so supported, exerts some influence in breaking down the sense of shame in regard to this kind of support, in those who are in the same, or in similar, circumstances. On this subject, the experience of England is too instructive to be passed by lightly. "I am every week astonished," says the overseer of an English parish, "by seeing persons come for relief, who I never thought would have come. Among them are respectable mechanics, whose work and means are tolerably good. The greater number of out-door paupers are worthless people. But still, the number of decent people, who ought to make provision for themselves, and who come, is very great and increasing. Indeed, the malady of pauperism has not only got among respectable mechanics. We find even persons, who may be considered as the middle classes, such as petty masters, who have never before been seen making applications to parish officers, now applying. My opinion is, that they apply in consequence of witnessing the ease with which others, who might have provided for themselves, obtain relief."*

Thus, in England, circle has gradually been added to circle, and the whirling eddy has extended, until it has engulfed multitudes who once thought themselves, and were universally thought, far from its brink. Here, too, the great secret is disclosed, of the pauperism of very many in this country. They might have provided for their own necessities. But they have seen, that others obtain relief amid their wants, simply by asking for it, and thus they, also, have been led to ask for it. And if, moreover, we take into account the peculiar pressure for aid, which always has been, and always will be, incidental to seasons of scarcity, and to those fluctuations of the commercial and manufacturing interests, by which many, for a time, are thrown out of employment, and the wages of labor are reduced to those who may still be employed, while the price of provisions may even be considerably enhanced, the whole mystery of the danger of permanent provisions for the relief of want, so far as the increase of pauperism is con-

* Report of Commissioners upon the Poor-Laws, p. 45.

cerned, and of all other than purely moral provisions for these exigencies, will be dispelled.

It is in these emergencies, that the greatest accessions are made to the number of recognised and permanent dependents upon poor-laws, and upon charitable societies. The difficulties, it may be the actual sufferings of the poor, but independent laborer, are then sometimes very great. A strong sense of character, it may be a strong sense of duty, is then required for the maintenance of his independence. His case is very proper to enlist *private sympathy, to be manifested by giving him employment, or making him small loans*; but let him manfully persevere in his independence, and avoid a resort to poor-laws. By receiving aid under poor-laws, during a pressure of this kind, many thousands have been brought to pauperism, who, aided by private sympathy as they should have been, might have obviated the temporary difficulties of their condition by their own exertions, have gained strength to principle and character from these very difficulties, and ultimately have been gainers through the very circumstances, which, causing them to depend on alms, have eventually brought them to degradation and ruin.

I omit all consideration of the excessive burthens imposed upon the community in the way of taxes by pauperism, because this part of the subject belongs to the legislator and the political economist, rather than to the moral philosopher. But the effects of poor-laws upon the moral feelings and natural sympathies of paupers come fairly within my province. "The burthen of this" (the pecuniary) "tax upon its payers," says the highest authority, "sinks into insignificance, when compared with the dreadful effects, which the system produces upon the *morals and happiness* of the poor. It is as difficult to convey to the mind of the reader a true and faithful impression of the intensity and malignity of the evil, in this view of it, as it is by any description, however vivid, to give any adequate idea of the horrors of a shipwreck, or a pestilence. A person must converse with paupers, must enter workhouses and examine the inmates, must attend at the parish pay-table, before he can form a just conception of the moral debasement, which is the offspring of the present (poor-law) system. He must hear the pauper threaten to aban-

don an aged and bed-ridden mother, to turn her out of his house, and to lay her at the overseer's door, unless he is paid for giving her a shelter ; he must hear parents threaten to follow the same course with regard to their sick children ; and, when he finds that he can scarcely step into a town or parish in any county, without meeting with some instance or other of this character, he will no longer consider the pecuniary pressure upon the rate-payer as the first in the class of evils, which the poor-laws have entailed upon the community."*

Again, another witness says, " Two laborers were reported to me as extremely industrious men. They maintained large families, and had neither of them ever applied for relief. I thought it advisable, that they should receive some mark of public approbation, and we gave them one pound each from the parish. Very shortly *they both became applicants for relief, and have continued so ever since.* I can decidedly state, as the result of my experience, that, *when once a family has received relief,* it is to be expected that their descendants for generations will receive it also. I remember, that, about two years ago, a father and mother and two young children were very ill, and reduced to great distress. They were obliged to sell all their little furniture for their subsistence. They were settled with us ; and, as we heard of their extreme distress, went to offer them relief. They, however, strenuously refused the aid. I reported this to the church-warden, who determined to accompany me ; and together we again pressed upon the family the *necessity* of receiving relief. But still they refused, and we could not persuade them to accept our offer. We felt so interested in the case, however, that we sent them four shillings in a parcel with a letter, desiring them to apply for more, if they continued ill. This they did. And from that time, I do not believe they have been three weeks off our books, although there has been little or no ill health in the family. Thus we effectually spoiled the habits acquired by their previous industry. And I have no hesitation in saying, that, in nine cases out of ten, such is the constant effect of having tasted parish bounty. This applies as much to

* Report of his (Britannic) Majesty's Commissioners on the Poor-Laws, 1834, p. 97.

the young as to the middle-aged, and as much to the middle-aged as to the old. I state it confidently, as the result of my experience, that, if once a young lad gets a pair of shoes given him by the parish, he never afterwards lays by sufficient to buy a pair. So it is also with parents. The disease of pauperism is hereditary. When once a family has applied to the parish for relief, they are pressed down for ever.”*

The truth is, the English system of poor-laws has had the effect, so far as the poor are concerned, of repealing that great law of nature, by which the effects of each man's improvidence or misconduct are visited upon himself and his family. The effect has been, moreover, to repeal, to the same extent, the law, by which each man and his family enjoy the benefit of his own prudence and virtue. In abolishing punishment, we equally abolish reward. “It appears to the pauper,” say the English Commissioners, “that the government has undertaken to repeal, in his favor, the ordinary laws of nature; to enact, that the children shall not suffer for the misconduct of their parents, the wife for that of the husband, or the husband for that of the wife; that no one shall lose the means of comfortable subsistence, whatever be his indolence, prodigality, or vice; in short, that the penalty, which, after all, must be paid by some one for idleness and improvidence, is to fall, not on the guilty person, or on his family, but on the proprietors of the lands and houses encumbered by his settlement. Can we wonder,” they continue, “if the uneducated are seduced into approving a system, which aims its allurements at all the weakest parts of our nature, which offers marriage to the young, security to the anxious, ease to the lazy, and impunity to the profligate?”† Such are the chief evils which have attended the English system of poor-laws; and, in a certain measure, the same system so far as it has been established in this country.

Still it is right to subjoin, that the English Commissioners consider these evils *incidental* to the system, and not its *necessary* consequences. They say, “From the evidence collected under

* Report of his (Britannic) Majesty's Commissioners on the Poor-Laws, 1834, p. 93.

† Idem, pp. 59, 77.

this commission, we are induced to believe, that a compulsory provision for the relief of the indigent can be generally administered on a sound and well-defined principle ; and that, under the operation of this principle, the assurance, that no one need perish from want, may be rendered more complete than at present, and the mendicant and vagrant repressed by disarming them of their weapon, — the plea of impending starvation.”* To secure this end, the new act of Parliament was framed, and the new system is stated to be working well.†

CHAPTER VIII.

THE DUTIES OF FRIENDSHIP.

THE question was discussed as early as the time of Cicero, whether mankind are accustomed to associate by the influence of a natural principle, or in consequence of the mutual aid which they may expect, and which they can most effectually give each other, by living in society and cultivating social intercourse.‡ Cicero decides the question in favor of a social principle natural to man, which leads him, independent of any expectation of aid, to associate with his kind ; and his decision has received the general assent of those who have most extensively observed mankind.§

Social intercourse is seen in its highest perfection in the case of permanent and disinterested friendship ; and every classical scholar must have had his fancy enlivened, and his heart and imagination warmed, in perusing the glowing descriptions of the satisfaction and delight which attend it, as given by the classical

* Report of his (Britannic) Majesty's Commissioners on the Poor-Laws, 1834, p. 227.

† See First Annual Report of the Poor-Law Commissioners, 1835. On the whole subject of almsgiving, the author has made much use of the Annual Report of the Association of Benevolent Societies in Boston, for October, 1835, a very valuable and instructive document.

‡ De Officiis, Lib. I. c. 44.

§ See Ferguson's Moral and Political Science, Vol. I. pp. 21 - 25.

writers of antiquity. "To take friendship from life," says Cicero, "would be almost the same thing, as to take the sun from the world." And Pythagoras was accustomed to make the intimacy of friendship so strict, that each person was to be as much pleased with his friend as with himself; and he made the perfection of it to consist in several persons being made *one* (*unus ex pluribus*) by a union of affections and inclinations, and a resemblance of manners, morals, and excellences of every kind.*

The duties of friendship respect 1. its commencement, 2. its continuance, 3. its abuses and violations, 4. its close, —and under these divisions I shall consider it.

1. The first duty of friendship respects the choice of our friends. The importance of this choice is manifest, when we consider the influence over us, which we give to every one whom we admit to our confidence and intimacy. The moral maxim quoted by St. Paul, "Evil communications corrupt good manners," † is applicable to all human intercourse, especially to the more intimate connexions of life, and to no one more than to friendship. Many writers have made useful suggestions respecting the choice of friends; but no one has more carefully summed up the necessary cautions to be used, than the author of the apocryphal book of Ecclesiasticus. "Be in peace with many," says he; "nevertheless, have but one counsellor of a thousand. If thou wouldst get a friend, *prove him first*, and be not hasty to credit him. For some man is a friend for his own occasion, and will not abide in the day of thy trouble. And there is a friend, who, being turned to enmity and strife, will discover thy reproach." Again, "Some friend is a companion at the table, and will not continue in the day of thine affliction. But, in thy prosperity, he will be as thyself, and will be bold over thy servants. If thou be brought low, he will be against thee, and will hide himself from thy face. Separate thyself" (that is, as to the interchanges of confidence) "from thine enemies; and take heed," (that is, in the choice) "of thy friends. A faithful friend is a strong defence; and he that hath

* Cicero, *De Amicitia*, c. 13; *De Officiis*, Lib. I. c. 17.

† 1 Cor. xv. 33.

found such an one, hath found a treasure. Nothing doth countervail a faithful friend, and his excellency is invaluable. A faithful friend is the medicine of life; and they that fear the Lord shall find him.”*

In the choice of a friend, then, besides the personal qualities and virtues which are a just ground of personal preference, integrity, in the full meaning of the term, education, sympathy, faithfulness, consistency, prudence, perseverance, unsullied honor, self-command, and a well-disciplined temper, are indispensable.

2. A wise caution and prudent deliberation in our choice may perhaps be regarded rather as preliminary to the duties of friendship, than as actual duties arising from this connexion. These cannot in strictness be said to commence, until friendship has been formed.

(1.) One of the first and most imperative of these duties is, the liberal interchange and reciprocation of confidence. On this part of the subject, the ancient writers speak in language, which must seem to savour not only of enthusiasm, but of absolute extravagance, in these calculating, — these utilitarian times. “If you think any one your friend,” says Seneca, “in whom you do not put the same confidence as in yourself, you know not the real power of friendship. Consider long, whether the individual whom you view with regard, is worthy of being admitted to your bosom; but, when you have judged, and found him truly worthy, admit him to your very heart. You should so live, indeed, as to trust nothing to your *conscience*, which you would not trust to your enemy; but, at least to your friend, let all be open. He will be the more faithful, as your confidence in his fidelity is more complete.”† “The life of no man,” says Cicero, “is worth living, who cannot refresh himself with the mutual benevolence and confidence of friendship. What is more pleasant than to have a friend, with whom you can converse as familiarly as with yourself. He who sees a true friend, sees, as it were, an exemplar of himself. Through the influence of friendship,” continues he, “the absent are always present, the poor are made rich, the weak become strong, and, what is

* Ecclesiasticus vi. 6-16.

† Ep. III. Vol II. p. 6. ed. Amst.

still more incredible, the dead live, — so great honor, such vivid recollection and regret await them on the part of their friends. Wherefore their life is honorable, and their death is blessed.” Again, he says, “ There ought to be among friends, without any exception, a mutual sharing of wishes, sentiments, counsels, interests, griefs, dangers, and pleasures.” *

(2.) Again, it is a duty of friendship to give mutual aid, not only by way of advice and good counsel, but also by lending effective assistance in advancing each other’s enterprises and undertakings. There are occasions in the life of every man, when candid advice and judicious counsel are extremely valuable ; and there are occasions, when one friend may be highly serviceable to another, without any sacrifice of his interest, or even of his convenience. Almost every man, too, has laudable undertakings and enterprises, either of a private or public nature, which it is in the power of a few persons to advance, by drawing public attention to them, inducing men of influence to give them their countenance, encouragement, and, if necessary, their patronage.

(3.) Another duty of friendship is, that friends lend one another their sympathy in seasons of distress, calamity, discouragement, and depression. “ Rejoice with them that do rejoice, and weep with them that weep,” is a precept of Christian morals, enforced by Apostolic injunction. † Such seasons are effectual tests of the sincerity of friendship. “ A friend,” says the Son of Sirach, “ cannot be known in prosperity ; and an enemy cannot be hidden in adversity.” Again, his counsel is, “ Be faithful to thy neighbour (friend) in his poverty, that thou mayest rejoice in his prosperity ; abide steadfast unto him in the time of his trouble, that thou mayest be heir with him in his heritage ; for a mean estate is not always to be contemned ; nor the rich that is foolish to be had in admiration.” ‡

(4.) The highest of all the duties of friendship, however, is, that friends mutually make known their errors, deficiencies, sins, and other failings to one another, with a view to secure their

* De Amicitia, c. 4, 6, 7, 17.

† Rom. xii. 15.

‡ Ecclesiasticus xii. 8 ; xxii. 23.

correction and reformation. This is dwelt upon by all the writers, not only as the highest duty, but as the most disinterested proof, of friendship. "Friendship justifies," says the great Roman moralist, so often quoted, "and requires, not only free, but even severe admonition, on certain occasions." Again, "Friends are often to be admonished and reprov'd, (*monendi sæpe et objurgandi sunt,*) and such admonitions are to be received in the kindly spirit with which they are given."* He even says, "Bitter enemies are of more use than those friends, who to some men seem kind; for, the former often tell the truth, the latter never." "Faithful are the wounds of a friend," says the wisest of men.† "Thou shalt not hate thy brother in thine heart; thou shalt in any wise rebuke thy neighbour, (friend,) and not suffer sin upon him," is the injunction of divine wisdom.‡ Again, "Admonish a friend, it may be he hath not done it; and if he have done it, that he do it no more. Admonish thy friend, it may be he hath not said it; and if he have, that he speak it not again. Admonish a friend; for many times it is a slander, and believe not every tale."§

Nor must we shrink from the duty of admonishing a friend of his imperfections, especially of his moral imperfections, because we may give him offence. He who takes offence, from such admonitions as friendship dictates, admonitions, the chief inducement to which is found in the very excellence of him whom we wish to make still more excellent, is not worthy of the friendship which we have wasted on him; and if we thus lose his friendship, we are relieved from one who could not have been sincere in his past professions of regard, and whose insincerity, therefore, we might afterwards have had reason to lament.|| Cicero well says, "His safety is to be despaired of, whose ears are so shut against truth, that he cannot hear it from his friend."¶

But, while the writers are unanimous in respect to the importance of friendly admonition, and the duty of giving it, they are equally unanimous in claiming importance for the *manner* in which

* De Amicitia, c. 13, 24.

† Proverbs xxvii. 6.

‡ Leviticus xix. 17.

§ Ecclesiasticus xix. 13-15.

|| See Brown's Philosophy of the Mind, Vol. III. p. 394. ¶ De Amicitia, c. 24.

this highest and most difficult of the duties of friendship is discharged. A friend is to be admonished in gentle and respectful terms. Whatever of severity there may be in any remonstrance on the part of a friend, must consist in the *matter* of the remonstrance, not in the *manner*, much less in the *language* in which it is conveyed. To this end, a friend is to wait for opportunities, to seek the *mollia tempora fandi*, to be inventive of ways and methods, by which to render his remonstrances as little offensive as possible, and effectual to secure the object in view. He must strictly avoid every thing that savours in the least of assumption; every thing that seems to betoken a sense of superiority. In the censure of a friend, moreover, a captious, officious, fault-finding spirit, is to be guarded against, as almost sure to defeat the end at which it aims. A friend is entitled to have the best possible construction put upon his conduct, of which the circumstances admit. He is even entitled to have his conduct viewed with a reasonable share of indulgence by his friend; and that querulous temper must not be indulged, which can only find perpetual occasion of complaint in the conduct of a friend, and which, like the constant dropping that “weareth away stones,” will, in time, wear out the firmest friendship.* We must remember, too, that if our friendly remonstrances fail of their desired effect, through any defect in the language we have used, any considerable want of judgment in the time we have chosen, or any serious impropriety in the tone and manner we have assumed, the friend so admonished is not the only one in fault; we are ourselves in part responsible for the unpropitious result of our endeavours.

(5.) Finally, it is a duty springing from this relation, to cherish the memory of a departed friend, to guard and protect his reputation, now committed to the keeping of his friends, and, with the remembrance of the past, to anticipate that future life, in which we may hope to rejoin him, and which, by this hope, presents new motives and new incitements to strengthen our virtue, and to quicken our preparation for our last and great change. “Though the most magnificent funeral pomp,” says

* Palfrey's Sermons, p. 190, 191

the Marchioness de Lambert, “be the tears and the silent sorrow of those who survive, and the most honorable sepulture be in their hearts, we must not think that tears which are shed from the sensibility of the moment, and sometimes, too, from causes, which, in part at least, relate to ourselves, acquit us of all our obligation. The name of our friends, their glory, their family, have still claims on our affection, which it would be guilt not to feel. They should live still in our hearts, by the emotions which subsist there; in our memory, by our frequent remembrance of them; in our voice, by our eulogiums; in our conduct, by an imitation of their virtues.”*

3. Abuses and violations of friendship. The great value of friendship, the resources of happiness which it opens to us, and the benefits which it is fitted to confer on all who are qualified to perform its duties, appreciate its blessings, and yield to its kindly influences, render some consideration of its abuses and violations useful. A complete enumeration of them, however, much less any considerable illustration of them, cannot be attempted within the limits to which I am compelled to confine myself.

(1.) One abuse of friendship consists in the wish and attempt to monopolize the time, the attention, the affections, and the services of friends. Juvenal, among other sarcasms which he inflicts on the Greeks, says it is their characteristic never to be satisfied with a friend unless they can monopolize him.

“ Non est Romano cuiquam locus hic, ubi regnat
 Qui, gentis vitio, nunquam *partitur amicum*;
 Solus habet.” †

There are persons whose friendship is of so exacting a kind, that they are unwilling to see a friend admitting any other to his confidence and intimacy. Such friendship is strongly tinged with selfishness, jealousy, and envy; three of the worst passions which disgrace human nature.

(2.) Another abuse of friendship is, to consider it chiefly a matter of profit, and to enter into it with a principal view to the personal advantages, such as honor, wealth, or pleasure, which

* Œuvres, Tome I. p. 248; Brown's Philosophy, Vol. III. p. 395, 396.

† Sat. III. 119 - 122.

we expect to obtain by it. This is to reduce friendship from the elevated social and moral rank, which it ought to sustain, to the level of an ordinary copartnership in trade or other business. It is a connexion of selfishness, of convenience, of pure personal interest, and not of friendship. Whatever of profit comes from friendship, is circumstantial and incidental to it, not essential. Cicero often remonstrates against this abuse of friendship, although he admits, that almost every personal advantage, besides the other blessings which it is fitted to impart, is incidental to it. He says, that "many persons are most fond of those friends from whom they expect to receive the most benefit, and that such persons belong to that class of men, who can see nothing good in human affairs but what is profitable."*

(3.) Friendship is grossly abused, when one friend expects from another any thing which is inconsistent with good manners, good morals, the law of the land, or religion, or which is otherwise wrong or improper. Cicero reviews and illustrates each of these particulars in his usual happy style; but my limits do not permit me to avail myself of the materials, which he has furnished to my hands. †

(4.) The duty of friendship is grossly violated, when we withdraw our attachment and regard from any one, in consequence of a reverse of fortune, or other adverse circumstances not pertaining to his personal merits and character. To this abuse of friendship, the distinguished and the prosperous of every kind are peculiarly exposed. "The rich hath many friends," says the wise man." Again, "Wealth maketh many friends, and every man is a friend to him that giveth gifts." ‡ "There are persons," says a valuable writer, "to whom the title of summer friends has been applied; who, without any directly sordid view to the promotion of their interest, attach themselves to the prosperous and eminent for the indulgence of their vanity, in seeming to be in credit with such persons; or load with favors and attentions those who are coming forward into notice, to signalize themselves as the patrons of rising merit. Such individuals are not without their use, but it would be a gross abuse of language to

* De Amicitia, c. 8, 9, 13, 15, 21.

† Idem, c. 10, 11, 13.

‡ Proverbs xiv. 20; xix. 4, 6.

call them friends. They are a kind of thermometer, by which one may know the temperature of the public feeling towards him, their assiduities with exact regularity subsiding or rising as that feeling grows cool or ardent.”*

(5.) Cicero considers it an abuse of friendship, when superiors in birth, fortune, education, personal accomplishments, or any thing else, arrogate any thing to themselves in consequence of these advantages ; and when those, who are conscious of their inferiority in these respects, make it a subject of murmuring and complaint, that Providence has not conferred like superior advantages on them. He says, “ As superiors ought, in friendship, to use condescension, so, to enjoy this connexion, inferiors ought to elevate themselves.” † The same thing may be as well expressed by saying, that, in this relation, all considerations of superior and inferior ought to be entirely lost sight of.

(6.) It is still another abuse of friendship, when friends cherish expectations of perfection in each other, which human nature, by reason of its many infirmities, is entirely incapable of satisfying, and of which they do not furnish an example in themselves. They expect in their friends, perfections which they are not accustomed to exhibit in themselves in return. We must entertain moderate expectations of our friends and associates, unless we are willing to be disappointed. We must be prepared to see and tolerate, with patience, some things of which we disapprove. It is a good rule, too, to be strict with ourselves, while we grant a liberal indulgence to others, in whatever way connected with us.

4. The last duty of friendship respects its close. After using all possible precautions in the choice of our friends ; after performing all the duties of this relation with faithfulness, and cautiously avoiding the abuses and violations incidental to it ;— still the painful necessity must sometimes occur of dissolving our friendships. This necessity may arise from several causes. We may have been mistaken, — our friend may not be such a man as we have taken him to be, — there may not, after all, be that correspondence of tastes, inclinations, and wishes, which we had believed to exist, — collisions of interest, of principle, or of

* Palfrey's Sermons, p. 178.

† De Amicitia, c. 20.

party, may unexpectedly have caused alienation of feeling, — or, lastly, our friend may have forsaken the path of honor and virtue, and after all possible attempts to reclaim him, we may have been unsuccessful. By the last of these contingencies, all friendship must inevitably be broken ; and, by each of the others, its dissolution is threatened. From these very contingencies, however, certain grave duties arise.

(1.) The first of these duties is this. When alienation of feeling is threatened from any cause, or has commenced, we ought to use our best endeavours to remove the cause, and restore the confidence and good feeling which once existed. Between good men, earnest and sincere endeavours, and a reasonable share of moderation and mutual forbearance, will most generally insure this happy result. There are few misunderstandings between friends, which, in the first stages, may not be reconciled, if reconciliation is prudently attempted and earnestly desired.

(2.) But, even if all efforts of this kind have proved unsuccessful, it is still a high duty of friendship not to violate the confidence which has been mutually reposed. It is sufficiently unhappy, that the bond of a relation so intimate must be broken ; the duty still remains of permitting nothing to be disclosed, which was imparted under the seal of confidence. The only exception to this, is, when a former friend has himself first broken the seal of confidence, and has so far violated this duty, as to make it a ground of assailing our conduct and character. In such a case, we must be permitted to defend ourselves ; and, to this end, we may rightfully use what has been imparted to us under the confidence of a friendship, broken without our fault, and now attempted to be used to injure us.

CHAPTER IX.

THE RELATION OF BENEFACITOR AND BENEFICIARY,
AND ITS DUTIES.

THIS is a relation originating in feelings on the part of the benefactor which do honor to human nature, accompanied by actual benefits conferred in the way of personal services, pecuniary aid, or in some other way. The first duty of a benefactor, is, fully and conscientiously to meet and satisfy all the just and reasonable expectations, which his conduct towards his beneficiary may have raised.* Again, it is a duty arising from the relation thus voluntarily created by himself, to prevent, by a kind condescension, the obligation of the benefit from being oppressively felt by him on whom it has been conferred. He ought to make the sense of his favors press as lightly as possible on the mind of his beneficiary. Not only so, it is appropriate to the situation in which he has by his own act placed himself, to cherish a permanent interest in the welfare of the subject of his kindness and friendly regard.

Gratitude seems to be one of the native moral impulses of our nature ; and, so ready is this emotion to spring up in every good mind, that ingratitude to a benefactor has, in every age, been considered as proof of a natural obliquity of understanding, and of unusual insensibility and perverseness of moral feeling. The first emotion of every susceptible mind, on receiving good, is, love of him from whom he receives it ; the next emotion is, the wish to render him some corresponding return of service. It is the duty of the beneficiary, therefore, to study the gratification and advance, as far as may be, the interests and the happiness of him, by whom his own have been advanced without expectation of reward. The duties of the beneficiary are the more important, inasmuch as ingratitude tends so much to dry up the fountain of beneficence.

* See above, p. 204.

This relation may be abused by a benefactor in two ways, — perhaps in more.

1. He may attempt to exact from his beneficiary, compliances and services which are inconsistent with good manners, good morals, the law of the land, or religion, or which are otherwise wrong or improper. By any attempt thus to avail himself of his situation to extort such compliances, he makes himself an oppressor of the most odious kind. If such was his original design in conferring benefits, he has spread a snare for the conscience and character of him who has received them, and the beneficiary is absolved from all obligation of gratitude. And, if such was not his original design, yet if, after suitable remonstrances, he still insists on exacting or expecting such compliances, the beneficiary is in like manner absolved. Nothing improper, still less immoral, can be rightfully exacted by virtue of this relation.

2. Again, the situation of a benefactor may be abused, by his ungenerously upbraiding a beneficiary with the favors which he has received. “This is odious conduct,” says Cicero. He continues thus, — “It is the part of him, on whom favors are conferred, to remember them; not of him who rendered, to commemorate them.”* Such an act is inconsistent with all proper sense of character, still more with all delicacy of feeling. It tends to extinguish all the kindly feelings which are appropriate and honorable to the relation.

CHAPTER X.

THE DUTIES OF HOSPITALITY.

Too much is said in the Old and New Testament, of the duties of hospitality, to permit a writer on practical Christian morals to omit this part of his subject. In Genesis xviii. 2–8; xix. 1–3, we have, in the cases of Abraham and Lot, two very interesting and instructive examples of patriarchal hospitality, which

* De Amicitia, c. 20.

show, that delicate attentions and courteous treatment of guests were well understood in those primitive times.

St. Paul makes use of these attractive examples of patriarchal hospitality, to encourage Christians, and to persuade them to the observance of this duty, saying, that they who have practised it have had the honor of entertaining angels under the form of men.* One ground of the condemnation of the wicked in the day of judgment will consist in their not having received strangers with hospitality.† St. Paul makes one of the qualifications of a bishop to consist in his being “given to hospitality.”‡ St. Peter enjoins, “Use hospitality one to another without grudging.”§ The primitive Christians made the exercise of hospitality a special part of their duty, and were so exact in its discharge, as to excite the admiration of the surrounding heathen, by whom they were watched with a vigilant eye. They were hospitable to all strangers, — more especially to those who were of the same faith. Letters of recommendation, given to believers, procured them a hospitable reception wherever the name of Christ was known.

Besides the protection, relief, and personal comfort, which hospitality affords, and which especially it was accustomed to afford in ancient times, when “violence was abroad in the earth,” and the restraints of law were comparatively feeble; its fruits at all times are, the cultivation of social intercourse, mutual kindness and good feeling, the removal of unjust prejudices, &c., — objects always important. Josephus understands the provision of the law of Moses, which required all the Hebrews to assemble three times a year at Jerusalem, to have been partly designed to give opportunity for the cultivation of a friendly intercourse and good feeling by personal acquaintance, festive entertainments, and other social meetings.|| This assembling of the great body of the nation thrice a year, in the capital city, must have furnished infinite occasions for giving and receiving hospitality.

So far as the exercise of festive and social hospitality is concerned, it is liable to two very manifest abuses, which ought to be carefully guarded against by every good man.

* Heb. xiii. 2. † Matt. xxv. 43. ‡ 1 Tim. iii. 2. § 1 Peter iv. 9.

|| Antiquities of the Jews, Lib. IV. ch. 8, sect. 7.

1. When, in the interchange of hospitalities of this kind, men incur expenses beyond those, which in sober calculation are justified by their resources and means of living. When men are of a social temper, there is always a strong temptation and tendency to fall into this abuse ; higher claims are, in consequence, disregarded, higher duties are neglected, debts are incurred, and perhaps the patrimonial estate is wasted. The hospitality, too, which has respect to the personal comfort and accommodation of others, especially to their wants and necessities, is a duty of manifold greater importance, than that which spreads the festive board, and presides over the social circle ; and it is the former branch of hospitality, which is chiefly commended by the sacred writers. One ground of the benediction, to be pronounced by our Saviour on the righteous, at the day of judgment, will be, that they have hospitably entertained strangers, as well as given food to the hungry and drink to the thirsty ; — and one ground of his malediction upon the unrighteous, on the same most solemn and august of all occasions, will be, that they have refused the claims of hospitality to strangers, as well as refused to give food to the hungry, and drink to the thirsty.* Even the heathenism of the Greeks and Romans invoked the vengeance of the highest divinity known to, and acknowledged by, the heathen system, against all who treated with cruelty and bad faith the unprotected and way-worn stranger.† Some nations have been distinguished for hospitality, (we have all heard, for instance, of Arabian hospitality,) who seem to have few other virtues.

2. Again, it is a flagrant abuse of hospitality, when festive and social entertainments are made the occasions of luxury, intemperance, or excess of any kind. Christianity subjects men to no hardships. It justifies them in eating and drinking, and in enjoying, with sobriety and temperance, the full measure of the fruits of their labor. But it justifies no excess or intemperance of any kind or degree. And, to be satisfied of the magnitude of the abuse, to which *the pleasures of the table always tend*, it is only necessary to call to mind the enormous and criminal extent to which they have sometimes been actually carried. Instances,

* Matt. xxv. 31 – 46.

† Odyssey, IX. 269 – 278.

without number, of this criminal abuse, must crowd on the memory of every one who is at all acquainted with the later Roman writers, especially Juvenal, and even with those of the Augustan age, who frequently contrast the extreme luxury, extravagance, and excess of the times in which they lived, and the accompanying decay of virtue, decline of the national energies, and extinction of the spirit of liberty, with the plain living, independence of mind, energy of character, self-reliance, unconquerable spirit of liberty, and the rest of the host of hardy virtues, which flourished in the times of the Commonwealth. I cannot enter into details, — but the luxury and extravagance of the later Romans became such, that, as M. Peignot has remarked, “The gastronomic reputation of the Romans became no less colossal, than their political and military renown.” The luxuries and extravagances of the table among the modern nations of Europe do not seem to equal those, which, we are assured, existed in the ancient nation I have just mentioned; but they are quite enough to excite the disgust of every man of sense and sobriety, much more of every serious Christian.*

CHAPTER XI.

THE DUTIES OF GOOD NEIGHBOURHOOD.

THE duties of good neighbourhood form a branch of our relative and social duties, which ought not to pass entirely unnoticed. The chief duties of good neighbourhood are, to render mutual aid, as circumstances may require, to cultivate social and friendly intercourse, and to preserve harmony and good feeling among those whose lot in life Providence has cast near each other. A single individual may do immense good in his neighbourhood, by using his influence to promote peace, to improve morals, man-

* An industrious writer has collected a vast number of details on this subject, pertaining both to the Greeks and Romans, and to the nations of modern Europe, in “The American Quarterly Review,” Vol. II. pp. 422–458; and in “The Southern Review,” Vol. III. pp. 416–430.

ners, and the state of society in general ; by forming associations to accomplish what he cannot do by his unassisted endeavours ; by disseminating useful knowledge and good principles ; by setting an example of industry, temperance, and public spirit ; by projecting or encouraging useful enterprises ; by encouraging the support of schools and churches ; by introducing improvements in agriculture, new inventions in machinery, &c.

1. It may be well to glance at some *legal* considerations, and principles of a general nature, pertaining to the duties of good neighbourhood. It is often said, that “ it is lawful for every man to do what he will with his own ; that he may use his own property and his person as he pleases, and even his tongue and his pen, if he always adheres to the truth. But, as a rule of universal application, nothing can be more erroneous. It is always subject to this essential limit and modification, that no injury be thereby done to his neighbour.” As has been said before, the rule of the municipal law, as far as it can be enforced by human sanctions, is identical with the golden rule of our Saviour, by which we are required to do to others as we would wish them to do to ourselves, in an exchange of situation and circumstances.* “ Thus, in general, a man may lawfully erect what buildings he pleases on his own land ; but yet not so as to deprive his neighbour of the light to which he has acquired a title by long and uninterrupted enjoyment. He may carry on what trade he pleases ; yet not so as to render the air unwholesome to others, or essentially to impair their comfort. He may govern his family with more or less regulation, and manage his affairs with much or little noise, as he pleases ; yet, when his house becomes the scene of common brawls, or the noise made on his premises becomes intolerable to his more quiet neighbours, he becomes the subject of legal animadversion. He may employ his capital in the purchase of goods at his pleasure ; yet, should he buy up the whole stock in market of any one article of the *necessaries* of life, corn for example, — with a view to create a scarcity and enhance the price for his own advantage, the law would regard him as nothing better than a ‘rogue in grain,’ and punish him accordingly. He

* See above, p. 214.

may order, at his pleasure, the rites of sepulture for his dependants who die, yet so that common decency is respected ; for, if this be violated, the law will not suffer the outrage to pass unpunished. In fine, the law protects every member of society in the quiet possession of his private property, his liberty, his reputation, the common comforts of light and air, and the enjoyment of the public peace. And it is only in subserviency to these rights, that any one may do what he will with his own.”

“ It is on this principle that the law of libel is founded ; which forbids the impertinent and *malicious* publication, even of the *truth*, if it tends to disgrace another, and to provoke him to a breach of the peace. The offences which men may have committed in time past against society, if repented of and atoned for, ought to be forgiven. The penitent should have some motive to acquire a new character for virtue, in the assurance that he shall be protected in its enjoyment. ‘ If private intermeddlers, assuming the character of reformers, should have the right maliciously to arraign others before the public, and, when called to account, to defend themselves by breaking into the circle of friends, families, children, and domestics, to prove the existence of errors or faults which may have been overlooked and forgiven where they were most injurious ; the party thus accused, without lawful process, might be expected to avenge himself by unlawful means, and duels or assassinations would be common occurrences.’* Hence the publication of disgraceful truth is unlawful, unless it is done *with good motives and for justifiable ends.*” †

2. This class of our social and relative duties, may be illustrated further, by adverting to the chief causes, occasions, and circumstances, which are accustomed to disturb and injure neighbourhoods.

(1.) Great unhappiness is frequently caused in neighbourhoods by slander, tale-bearing, jealousy, envy, prying by one neighbour into the concerns of another, &c. Slander sows the seeds of discord, tale-bearing scatters them far and wide, and in due time, springs up a plentiful harvest of heart-burnings, evil surmises, and quarrels of every kind which can embitter life and render existence

* Pickering's Reports, Vol. III. p. 313.

† Manuscript Lecture of Professor Greenleaf, of Harvard University.

miserable. One neighbour is, perhaps, more successful than another, in the management of his affairs ; or he acquires a larger share of honor and esteem ; hence, again, arise jealousy, envy, and ill-will, manifested on every occasion, and in every form which can annoy and disturb him against whom these baleful passions are excited.

(2.) Again, neighbourhoods are frequently disturbed by mutual irritations, proceeding originally from very slight provocations. Two adjoining neighbours, perhaps, both lay claim to the same strip or nook of land, of no real importance to either. At first, they mutually urge their claims in moderate and decent language ; by and by one of them uses angry and irritating expressions ; to this succeed mutual abuse and menaces ; at length comes actual violence, in expectation of which, each arms himself for combat ; and, it may be, the loss of the life or limbs of one or both of the combatants is the fruit of a controversy originally insignificant.

(3.) Sometimes a single individual, of a restless and turbulent temper, disturbs an entire neighbourhood, by exciting quarrels and lawsuits, fomenting jealousies, forming parties, &c. One or a few individuals may make a neighbourhood so uncomfortable and undesirable, that the worthy and peaceable may be compelled to leave it in self-defence. Juvenal mentions one way of doing this,* and a hundred other ways of doing the same thing are known to every bad neighbour.

* Sat. XIV. 145.

PART FOURTH.

PERSONAL DUTIES AND OBLIGATIONS, OR THE DUTIES OF MEN TO THEMSELVES.

OUR duties to ourselves, well denominated by an English writer, “personal morality,”* may be comprised under seven divisions. I. The preservation of life and health, including a discussion of suicide. II. The improvement of the corporeal faculties. III. Cultivation of the powers of the mind generally, including discipline of the temper and passions, and attention to manners and personal habits. IV. Cultivation of a strong, delicate, and permanent sense of duty. V. Cultivating personal religion, and the personal virtues. VI. Cultivating a delicate sense of honor. VII. Guarding ourselves against prejudices, antipathies, prepossessions, &c.

CHAPTER I.

THE DUTY OF PRESERVING LIFE AND HEALTH, INCLUDING A DISCUSSION OF SUICIDE.

IF there is any difficulty in putting our duty to preserve life and health beyond all controversy, it arises from its being so plain, that there is no medium of proof by which to make it more manifest. The Christian religion looks upon all our capacities of improvement and usefulness, as so many talents intrusted to our administration, and for the use of which we are to be held responsible.† And that our life is the talent of superlative value,

* Estlin's Lectures on Moral Philosophy, No. VII.

† Matt. xxv. 14 - 30 ; Luke xix. 12 - 27.

when compared with all others committed to us, is a position too manifest to require illustration, much less, argument. Life and health, then, still more than the other talents which we enjoy, are to be regarded as treasures intrusted to our keeping by the Almighty, to be used for our own good and the good of our fellow-men.

By the duty of preserving life and health, therefore, I mean much more than abstaining from positive and known injury to either. Health may be ruined, and even life may be lost, by neglect as well as by positive injury. Not only so; a person may pursue a course, undeniably calculated to impair his health and shorten his life. Moreover, the duty to preserve life and health includes the duty of *using the means* of preserving them, such as temperance, exercise, cheerfulness of mind, and whatever else conduces to prolong life and preserve health. On this subject, I may quote the advice of Cicero, which seems to me to comprise the substance of entire volumes. "Health is preserved," says he, "by a knowledge of one's constitution (*notitiâ sui corporis*), and by observing what things and circumstances benefit, and what injure it, by temperance and moderation in meats and drinks, by forbearance and abstinence from hurtful pleasures and every kind of excess; and, when all these means fail, by the use of medicine and the skill of physicians.*

This duty, imperative on all men, to preserve life and health, and to use all the means known to conduce to this end, enables me to approach, with advantage, the discussion of the difficult and important subject of suicide, which was esteemed proper, lawful, and even heroic, by the ancient sect of the Stoics; and has sometimes been defended, as well as frequently practised, in modern times. Dr. Smith affirms, that the lawfulness and propriety of suicide was a doctrine common to *all the sects of ancient philosophers*; and he has ingeniously, if not satisfactorily, traced the prevalence of this doctrine among the Greeks, to the habitual state of public affairs in that country.† It is true that the case of Cato, called by Dr. Smith, "the venerable martyr of the republican party," *was excused* (not commended, as he

* *De Officiis*, Lib. II. c. 24. † *Theory of Moral Sentiments*, Vol. II. pp. 78-80.

says,) by Cicero himself, who, though substantially (*potissimum*) a Stoic in his moral principles, was manifestly against suicide generally.* Still it is matter of just regret, that this great philosopher should in any case, or in any degree, have given countenance to the crime of suicide.

Socrates, Plato, and Aristotle, the most illustrious of all the philosophers of antiquity, not only gave no countenance to suicide, but gave their voice *decisively* against it. And this single fact must very much qualify, if it does not indeed destroy, Dr. Smith's assertion, that the lawfulness of suicide was a doctrine common to all the ancient sects. Indeed, I may well ask every man acquainted with ancient authors, and accustomed to form an estimate of ancient opinions, What is the ancient doctrine or opinion worth, against which Socrates, Plato, and Aristotle take their stand? Reinhard † has expanded, illustrated, and enforced the reasoning of Socrates and Plato against suicide, in the copious, lucid, and persuasive style in which he has treated so many other subjects, and has shown, that *the voice of philosophy and natural religion* give no countenance to, and make no apology for, this crime.

The New Testament nowhere contains a *positive prohibition* of suicide; and from this it has sometimes been supposed, that Christianity does not regard it as an offence against religion and morals. To this, various satisfactory replies may be given. If it is one of our highest duties to preserve life and health; to destroy life knowingly and intentionally must be highly criminal. Again; we are forbidden, under the most severe penalties, by the sacred writers, to take away the lives of others;—can it be other than a high offence, to take away our own? Moreover, an *implication* may be, under certain circumstances, scarcely less strong and conclusive than a *positive prohibition*; and the implication in regard to suicide is as strong and conclusive, as implication can in any case be.

Thus, human life is represented as a *term* appointed or pre-

* De Officiis, Lib. I. c. 2, 31.

† “De Morte Voluntariâ quid et quam clarè præcipiat Philosophia,” contained in his “Opuscula Academica,” Vol. I. pp. 67–92. See particularly, pp. 67, 73, 87, note.

scribed to us ; it is a race set before us, — it is our course, — it is a course to be finished, — to be finished with joy, — we have need of patience, that, after we have done the will of God, (that is, discharged the duties of life so long as God is pleased to continue us in it,) we may receive the promise.* This way of viewing human life, commended to us by St. Paul, seems to me as inconsistent as possible with the doctrine, that we are at liberty to determine the duration of our lives for ourselves. †

Again, Christ and his Apostles inculcate no quality so often or so earnestly, as *patience under affliction*. Now this virtue would have been, in a great measure, superseded, and the exhortations to its practice might have been spared, if the disciples of our Saviour had been at liberty to quit the world, as soon as they grew weary of the ill usage which they received in it. When the afflictions of life pressed severely upon them, they were exhorted to look forward to a “far more exceeding and eternal weight of glory,” — they were to receive them as “chastenings of the Lord,” — as intimations of his care and love ; — by these and the like reflections and motives, they were to support and improve themselves under their sufferings ; but not a hint has escaped them, that they might seek relief in a voluntary death. One text, in particular, strongly combats all impatience under distress, of which that may be supposed the greatest which prompts to suicide, to wit, — “Consider him that endured such contradiction of sinners against himself, lest ye be wearied and faint in your minds.” ‡ On this text, it may be inquired, 1. Whether a Christian convert, who had been impelled by the continuance and severity of his sufferings to destroy his own life, would not have been thought by the author “to have been weary, to have fainted in his mind,” and to have disgraced the example, which is here proposed for the meditation of Christians when in distress ? 2. Whether such an act would not have been attended with all the circumstances of mitigation, which can excuse or extenuate suicide at this day ? §

Further, the *conduct* of the Apostles, and of the Christians of

* Hebrews xii. 1 ; 2 Timothy iv. 7 ; Acts xx. 24 ; Hebrews x. 36.

† Paley's Moral and Political Philosophy, p. 227.

‡ Heb. xii. 3.

§ Paley's Moral and Political Philosophy, p. 227, 228.

the Apostolic age, furnishes no obscure indication of their sentiments on this subject. They lived in a confirmed belief of happiness to be enjoyed by them in a future state. In this world every extremity of injury and distress was their allotment. To die was gain. The change, which death brought with it, was, in their expectation, infinitely beneficial. Yet it never, that we can find, entered into the mind of any one of them, to hasten this desirable change by an act of suicide, from which, it is difficult to say, what motive could have so universally restrained them, except a conviction of unlawfulness in the act.* It is, then, equally the sentiment of philosophy and of religion, both natural and revealed, — “All the days of my appointed time will I wait, till my change come.” †

We must be still further convinced of the unlawfulness and criminality of suicide, if we bring the practice to the further test of the *general consequences* which it involves. ‡ Indeed, there is no subject in morals, to which the test of general consequences can be more successfully and properly applied. Particular and extreme cases of suicide may be imagined, and may arise, of which it would be difficult to assign *the particular mischief*, or from that consideration *alone*, to demonstrate the guilt; but this is no more than what is sometimes true of universally acknowledged vices. Possible cases, even of the highest crimes known to the law, might be proposed, which, if they could be detached from the general rule, and governed by their own particular consequences alone, it would be no easy undertaking to prove criminal.

When brought to this test, the question is no other than this; May every man who chooses to destroy his life, innocently do so? Limit and discriminate as we please, it will come at last to this question. For, shall we say, that we may commit suicide, when we find that our continuance in life has become *useless* to mankind? Any one may make himself useless, who pleases; and persons given to melancholy are apt to think themselves useless, when they really are not so. Suppose a law were enacted, allowing each individual to destroy every man he met, whose longer continuance in the world he might judge to be *useless*;

* Paley's Moral and Political Philosophy, p. 228.

† Job xiv. 14.

‡ See above, pp. 33 - 37.

who would not condemn the latitude of such a rule ? Who does not perceive, that it would, in substance, be a permission to commit murder at pleasure ? A similar rule, regulating the right over our own lives, would be capable of the same abuse. Besides which, no one is *useless* for the purpose of this plea, but he who has lost every capacity and opportunity of being useful, together with the possibility of recovering any degree of either ; — a state of such utter destitution and despair, as cannot, I presume, be affirmed of any man living.

Again, shall we say, that to depart from life voluntarily, is lawful for those alone, who leave none behind them to lament their death ? If this consideration is to be admitted at all, the subject of inquiry will be, not whether there are any to lament us, but whether their pain, caused by our death, will exceed that which we should suffer by continuing to live. Now this is a comparison of things so indeterminate in their nature, so capable of varying judgments, and concerning which the judgment will differ so much according to the state of the spirits, or the pressure of any present anxiety, that it would scarcely vary, in hypochondriacal constitutions, from an unqualified license to commit suicide, whenever the distresses, which men felt or fancied, rose high enough to overcome the pain and dread of death. Men are never tempted to destroy themselves but when under the oppression of some grievous uneasiness ; — the restrictions of the rule, therefore, ought to apply to these cases. But what effect can we expect from a rule, which proposes to weigh one pain against another ; the misery that is felt, against that which is only conceived ; and in so false a balance, too, as the party's own distempered imagination.

In like manner, whatever other rule we assign, it will ultimately bring us to an indiscriminate toleration of suicide, in all cases in which there is danger of its being committed. What then would be the consequence of such toleration ? Manifestly, the loss of many lives to the community, of which some might be valuable ; the affliction of many families, and the apprehension of all ; for mankind must live in continual apprehension for the fate of their friends and dearest relatives, when the restraints of religion and morality are withdrawn ; when every disgust, which is

powerful enough to tempt men to suicide, shall be deemed good cause to justify it, and when the follies and vices, as well as the inevitable calamities of life, so often make existence a burthen.

Besides the reasons against suicide derived from philosophy and natural religion, from Christianity, and from the general consequences, each case will be aggravated by its own proper and particular consequences ; by the duties that are deserted ; by the claims that are defrauded ; by the loss, affliction, or disgrace, which our death, or the manner of it, causes our family, kindred, or friends ; by the occasion we give to many to suspect the sincerity of our moral and religious professions, and, together with ours, those of all others ; by the reproach we draw upon our order, sect, or calling ; finally, by a great variety of evil consequences attending upon peculiar situations, with some or other of which every actual case of suicide is chargeable.

Besides these more general motives, fitted to dissuade from suicide, one, more particular, may be addressed to all who are tempted in this way. By continuing in the world, and in the practice of those virtues which remain within our power, we retain the opportunity of meliorating our condition in a future state. And there is no condition in human life, which is not capable of some virtue, active or passive. Even piety and resignation under the sufferings to which we are called, testify a trust and acquiescence in the divine counsels more acceptable, perhaps, than the most prostrate devotion ; afford an edifying example to all who observe them ; and may hope for a recompense among the most arduous of human virtues. These qualities are always in the power of the miserable ; indeed, of none but the miserable.*

Legislation has been resorted to, both in this country and in England, to prevent suicide ; but without any good effect. If the love of life, so natural to man, the prohibitions of Christianity, the restraints of public opinion, the general consequences and particular aggravations of every act of this kind, and the other motives to which I have adverted, are not effectual to prevent suicide, — it is in vain to rely on any enactments of penal law, however severe these may be. The offending party is beyond

* Paley's Moral and Political Philosophy, pp. 223 – 226.

the reach of legal penalties ; the confiscation of his estate is punishing the innocent for the offence of the guilty, and any indignities offered to his remains, will only render his relations, already made unhappy by his conduct, still more unhappy. When moral considerations have failed, legal penalties will be ineffectual.

CHAPTER II.

IMPROVEMENT OF THE CORPOREAL FACULTIES.

ANOTHER personal duty consists in the preservation and improvement of our corporeal faculties. On the importance of physical education, which chiefly consists in skilfully calling forth the corporeal powers, strengthening and maturing them by healthful exercise and appropriate training, and bringing them to all attainable perfection, I have before briefly remarked.*

The personal qualities, and consequently the usefulness and happiness of the man, depend, in no small degree, on the strength, vigor, elasticity, and general good constitution of the body, on the flexibility and good proportional developement of the limbs, and on its ability to resist exposure, to sustain fatigue, and endure labor and privation of every kind. And such is the reciprocal action of the body and the mind on each other, that whatever affects the one, must in a greater or less degree affect the other. Moreover, a good constitution of body, and high improvement of the corporeal powers, the result of a judicious and persevering physical education, can be *maintained* only by a continuance of the same salutary exercise and discipline. An eminent Roman author well says,

“Orandum est, ut sit mens sana in corpore sano.
 Fortem posce animum, et mortis terrore carentem,
 Qui spatium vitæ extremum inter munera ponat
 Naturæ, qui ferre queat quoscumque labores,
 Nesciat irasci, cupiat nihil, et potiores
 Herculis ærumnas credat, sævosque labores,
 Et Venere, et cœnis, et plumâ Sardanapali.” †

* See above, pp. 149, 150.

† Juvenal. Sat. X. 356 - 362.

A sound mind in a sound body, — a mind proof against passion, however violent, and inaccessible to degrading pleasures, however enticing, and a body able to bear any labors, however arduous, — is the perfection of the physical and intellectual man. Finally, physical accomplishments are intimately connected with moral, as well as intellectual ; and, for this reason again, it is still more a personal duty to aim at the utmost physical improvement of which we are capable.

CHAPTER III.

CULTIVATION OF THE POWERS OF THE MIND.

It is, then, a duty to cultivate and, if possible, to perfect our physical powers. But it is a still higher duty to cultivate the faculties of the mind generally ; and, in this cultivation, we are to include the discipline of the temper and passions, and attention to manners and personal habits.

The intellectual and moral faculties are the chief prerogative by which man is distinguished, and are the most valuable blessings conferred on him by the Almighty. In their natural state, however, *they are capabilities of reflection and usefulness*, rather than faculties actually in exercise. In too many cases, they continue substantially in this state, through life. In every case, they wait to be called forth by cultivation and discipline. By neglect, by disuse, by sloth, they remain unawakened and unimproved. Even when awakened and cultivated, vice and profligacy waste, corrupt, and ruin them. Extremely feeble in infancy, these powers, under wise and judicious cultivation and discipline, are susceptible of almost indefinite improvement. Some aid may be given towards improving them, by instruction, and by the advice, suggestions, encouragements, and example of others ; and still more by the *direction* which others are frequently instrumental in giving them ; but, with slight qualifications, all mental cultivation and excellence, of whatever kind, are the fruit of the personal sacrifices, efforts, and energy of the individual.

The most skilful and persevering instructor can do little more than give his pupils an opportunity of learning ; their actual advancement must depend on the diligence and efforts, which they are willing to use. This is true of all mental cultivation, intellectual, social, and moral. Parents, instructors, and other friends may do something ; but any well-marked, and especially any unusual success, must come from the personal endeavours of the individual. It may be added, for the encouragement of those who are willing to make the trial, that, wherever the wish for mental improvement has been sincere, decisive, and persevering, inspired with enthusiasm to attain the end in view, prepared to make sacrifices and submit to self-denial with cheerfulness, such wish has not often been destined to disappointment.

We shall see most distinctly the importance of the duty of cultivating the mental powers, and the rewards which wait on its successful performance, if we estimate it by the effects with which it has sometimes been crowned. Not to ascend higher than comparatively late times, — Lord Bacon, after spending much of his life in active pursuits, viewed human knowledge in all its dimensions, marked its errors and defects, and pointed out the path to its renovation and extension. Newton's views and conclusions were coextensive with the material universe ; his sublime genius excluded confusion and disorder from all the dominions of the Almighty, and proved that they are all resplendent with the elements of beauty, grandeur, and sublimity. Locke ascended to the sources of thought and reflection, and subjected the senses, powers, and faculties of the understanding to the most acute, comprehensive, and searching analysis. At the present day, no man can expect to be highly useful or successful, whose mental faculties have not been carefully disciplined and fully invigorated and matured.

Nor does this discipline and improvement, which I am attempting to illustrate, refer to the understanding alone ; it embraces equally the temper, the passions, the affections, the habits, and the manners. These all refer to the mind, and are equally capable of cultivation. The various faculties of our nature, too, should be cultivated in due proportion, harmony, and consistency with each other. "There is no profession or pursuit," says

Dugald Stewart, “which has not habits peculiar to itself; and which does not leave some powers of the mind dormant, while it exercises and improves the rest. If we wish, therefore, to cultivate the mind to the extent of its capacity, we must not rest satisfied with that employment which its faculties receive from our particular situation in life. A variety of exercises is necessary to preserve the animal frame in vigor and beauty; and a variety of those occupations which literature and science afford, added to a promiscuous intercourse with the world, in the habits of conversation and business, is no less necessary for the improvement of the understanding.” Again he says, “It ought not to be the leading object of any one to become an eminent metaphysician, mathematician, or poet; but to render himself happy as an individual, and an agreeable, a respectable, and a useful member of society. A man who loses his sight, improves the sensibility of his touch; but who would consent, for such a recompense, to part with the pleasures which he receives from the eye?” *

So far as the acquisition of knowledge is concerned, it seems to have been the settled conviction, probably from time immemorial, that it is attainable by a very few only, — that it can be expected to be attained only by men who have studied long in halls devoted to learning, by professional men, and persons of fortune and leisure, — and that it is not in the power of the humbler classes of society, especially of those who subsist upon manual labor and mechanical industry, to engage in the pursuit of it with any reasonable hope of success. The Son of Sirach has spoken the general sentiments, which men of every age and country seem to have been accustomed to entertain on this subject. He says, in his beautifully simple style, “The wisdom of a learned man cometh by opportunity of leisure; and he that hath little business shall become wise. How can he get wisdom that holdeth the plough, and that glorieth in the goad, that driveth oxen, and is occupied in their labors, and whose talk is of bullocks? He giveth his mind to make furrows; and is diligent to give the kine fodder. So every carpenter and workmaster,

* Elements of the Philosophy of the Mind, Vol. I. pp. 18-20.

that laboreth night and day ; and they that cut and grave seals, and are diligent to make great variety, and give themselves to counterfeit imagery, and watch to finish a work. The smith, also, sitting by the anvil, and considering the iron work, the vapor of the fire wasteth his flesh, and he fighteth with the heat of the furnace ; the noise of the hammer and the anvil is ever in his ears, and his eyes look still upon the pattern of the thing that he maketh ; he setteth his mind to finish his work, and watcheth to polish it perfectly. So doth the potter, sitting at his work, and turning the wheel about with his feet, who is always carefully set at his work, and maketh all his work by number ; he fashioneth the clay with his arm, and boweth down his strength before his feet ; he applieth himself to lead it over ; and he is diligent to make clean the furnace. All these trust to their hands, and every one is wise in his work. Without these cannot a city be inhabited ; and they shall not dwell where they will, nor go up and down ; they shall not be sought for in public council, nor sit high in the congregation ; they shall not sit on the judges' seat, nor understand the sentence of judgment ; they cannot declare justice and judgment ; and they shall not be found where parables are spoken."*

This graphic description of the condition of the laboring classes, and of their inability to attain knowledge and enjoy its benefits, is strictly true as applied to *ancient* times ; but, so far as it regards modern times, since the invention of printing, and the facilities which it has introduced for acquiring knowledge, it must be received with much qualification. It has been made known by the experience of later times, and it is one of the most gratifying results, which the people of any age have witnessed, that high mental improvement is capable of much greater extension, than was ever supposed, or even conjectured, prior to such experience. The object is, to improve the mind and enlarge its capacities by the acquisition of knowledge. Now MIND is the inheritance with which God has endowed all the children of the great family of man ; it cannot, therefore, be monopolized by any class of society. It is a treasure, which, beyond an equal

* Ecclesiasticus xxxviii. 24 - 33.

proportion, is not given to the children of the wealthy ; it is a talent bestowed alike on all, whatever may be their external condition. Nor is this all : MIND is in all men, and in every man, the same active, living, creative, immortal principle, — it is the man himself. A renowned philosopher of antiquity beautifully said of the intellectual faculties, — “ I call them not *mine* but *me*.” These make the man ; these are the man.

I am too well convinced of the immense value of the various seminaries of learning in our country, which public and private liberality has founded, not to estimate them as highly as any man. They cannot well be estimated too highly ; — they have contributed beyond measure, to the respectability, honor, and welfare of the country, in the highest and best sense of these terms. Still it may be affirmed, with perfect truth, of the great benefactors of mankind, — of the men, who, by wonderful inventions, remarkable discoveries, and extraordinary improvements, have conferred the most eminent service on their fellow-men, and gained the highest renown in history, — by far the greater part have been of humble origin, small advantages, and self-taught. To rouse the understanding to a consciousness of its own powers ; to kindle, nourish, and invigorate its capacities, in order that it may learn to compare, to contrive, to invent, to improve, and to perfect, is the spring of all valuable improvement, and is within the reach of every man, without distinction of birth or fortune. In this great respect, then, the most important that touches the condition of man, we are all substantially equal. It is not more true, that all men possess the same natural senses and organs, than that their minds are originally endowed with the like capacities of improvement, though not probably all in the same degree.

As men bring with them into life, like intellectual endowments, that is, minds susceptible of like, if not equal improvement, — so, in a country like ours, the means of personal improvement are much more equally enjoyed, than might be supposed at first sight. Whoever has learned to read, possesses the keys of knowledge ; and can, whenever he pleases, not only unlock the portals of her temple, but penetrate to the inmost halls and most secret cabinets. A few dollars, the surplus of the earnings of the humblest industry, are enough to purchase the use of books, which contain the

elements of the entire circle of useful knowledge. If it be said, that a considerable part of the community have not time to give to the cultivation of their minds, a satisfactory reply is not difficult. It is only necessary to make the experiment, to ascertain two things, — the one, how much useful knowledge can be acquired in a moderate time ; — and again, how much time can, by good management, be spared from the busiest day. As a general fact, our duties leave us time enough, if our passions would spare it to us ; our labors are much less pressing in their calls upon us, than our indolence and our pleasures. There are very few pursuits in life, whose duties are so unremitting, that they do not leave some time every day to a man, whose temperate and regular habits allow him the comfort of a clear head and cheerful temper, in the intervals of business. Besides, there is one day in seven, which is redeemed to us, by our blessed religion, from the ordinary calls and avocations of life, and affords all men a reasonable portion of time for the improvement of their rational and immortal natures.

It is a mistake to suppose, that any class of men have much time to spend, or do actually spend much time, in mere contemplation and solitary study. A small number of men, professedly literary, habitually do this ; but the very great majority of professional men, — lawyers, physicians, and clergymen, men in public stations, rich capitalists, merchants, — men, in short, who are often supposed to possess eminent advantages and ample leisure to cultivate their minds, are all very much occupied with the duties of life, and constantly and actively employed in pursuits very uncongenial to the cultivation of the mind, and the attainment of useful knowledge.

We may take for illustration, the case of a distinguished lawyer in full practice at the bar. He passes his days in his office, giving advice to clients, often on the most uninteresting and paltry details of private business, or in attending, in court, to the same kind of business ; and, when it is night, and he returns to his home fatigued and harassed ; instead of sitting down to read or to rest, he is compelled to study another perplexed cause for the next day, or to go before referees, or to attend a political meeting, where he is expected to make a speech ; — while every moment,

which can be regarded, in any degree, as leisure time, is consumed by a burthensome correspondence. Besides all this, he has his family to take care of, as well as other men. It is plain, that he has no more leisure for the liberal cultivation of his mind, independent of his immediate profession, than if he had been employed the same number of hours in mechanical or manual labor. One of the most common complaints of professional men, in all the professions, is, that they have no time for reading; and it may well be believed, that there are many such, of very respectable standing, who do not, in any branch of knowledge unconnected with their immediate professions, read the value of an octavo volume in the course of a season.*

This subject will receive still further illustration, if I briefly advert to a few individuals, who, from the most adverse influences of birth and fortune, have risen to the highest eminence of useful distinction. The story of Demosthenes, and the extraordinary obstacles, of almost every kind, which he overcame on his way to distinction, — ill health, obscure origin, defective utterance, and prominent personal infirmities, are known not only to every classical scholar, but to every reader of general history and biography.

“Quem mirabantur Athenæ
Torrentem, et pleni moderantem fræna theatri.” †

Cicero, too, ‡ won the distinction which he acquired, by his love of knowledge, his courage, his industry, his self-denial, and his perseverance. Cato, the celebrated Roman censor, learned the Greek language when very far advanced in life. To come, however, at once to late times, with which we shall, perhaps, have more sympathy, — Laplace, the celebrated French mathematician and physical astronomer, who, in these sciences, unquestionably ranks next to Sir Isaac Newton, was the son of a farmer in Normandy. The celebrated German metaphysician, Kant, was the son of a harness-maker, who lived in the suburbs

* At least, such is the opinion of one so well qualified to judge as Mr. Edward Everett, the present Governor of Massachusetts, expressed in his Franklin Lecture, delivered at Boston, 14th November, 1831, to which several paragraphs of this chapter are considerably indebted.

† Juvenal, Sat. X. 127.

‡ Called by Juvenal, “novus Arpinas ignobilis,” Sat. VIII. 237.

of his native city, Königsberg. Heyne, the celebrated classical scholar and editor, in the Memoirs of his own life, says, — “Want was the earliest companion of my childhood. I well remember the painful impressions made on my mind by witnessing the distress of my mother, when without food for her children.”

The father of Sir Humphrey Davy pursued the employment of a carver, at Penzance, in Cornwall, and from this humble origin, the son became the most renowned and successful chemist of the present century. Vauquelin, the celebrated French chemist, was apprenticed to an apothecary, and acquired the Latin language by tearing the leaves from an old dictionary, and always having some of them in his hand, when traversing the streets with medicines, and executing other commissions in his master's service. These examples are fitted to give an impulse to the energies of those who are most industrious and most enterprising. When we look into the lives of such men, the cause of their success is no longer a secret to us; we cease to be surprised at the distinctions which they won. When we observe the series of struggles, which they endured amidst poverty, obscurity, and neglect, their disciplined passions, their love of knowledge, their firmness of purpose, and their unconquerable zeal and perseverance, we perceive, that their success has followed in the train of their exertions by the ordinary law of cause and effect.

But it is not necessary to resort to *foreign* sources to illustrate the importance of cultivating the faculties of the mind, and the rewards which wait on such cultivation. The history of no nation on earth more abounds with instructive examples of this kind than our own. The circumstances under which the celebrated Roger Sherman rose to eminence and distinguished usefulness, have been noticed in another connexion.* David Rittenhouse was entirely self-taught in mechanics. When he took up the business of a mathematical instrument and clock maker, he made many implements of his trade with his own hands. From the age of nineteen to twenty-five, he applied himself unremittingly to his trade and his studies, devoting the day to the former, and

* See above, p. 228.

much of the night to the latter. Samuel Huntington was engaged in the labors of the farm, until his twenty-second year, when he commenced the study of the law, and rose to be a distinguished member of Congress, and was chief justice of the Supreme Court, and chief magistrate of his native State (Connecticut), during many years. Dr. Thomas Baldwin may be said to have commenced the education which fitted him for his distinguished course of usefulness in the Christian ministry, when he was thirty-eight years of age. If propriety permitted me to use the names of persons still living, many other examples equally striking and instructive might be cited. But, of all examples, that of Dr. Franklin is probably the most instructive and cheering to those, whose humble circumstances require them to be the architects of their own fortunes. His father was accustomed to quote this verse of the Proverbs of Solomon; "Seest thou a man diligent in his business? he shall stand before kings;"* and the Memoirs of the son warrant us in believing, that it had a decisive influence on his aspiring genius. Born in the lowest obscurity, his industry and enterprise raised him to be the companion and adviser of kings. Lord Chatham said, he was "one, whom all Europe held in estimation for his knowledge and wisdom, and ranked with Boyle and Newton; who was an honor, not to the English nation only, but to human nature." †

But why review the cases of individuals any further? Our entire country is a great and striking illustration of what may be done by native force of mind, self-education, without advantages, but springing up under strong excitement, and embarking in new and successful undertakings. Nowhere do we meet with examples more numerous and more brilliant, of men who have risen above poverty, obscurity, and every other discouragement, to usefulness and an honorable fame. The statesmen who conducted the revolution to its successful issue, were called, generally without experience, to the head of affairs. The generals who commanded our armies, were most of them taken, like Cincinnatus, from the plough; and the forces which they led, were gathered from the firesides of an industrious and peaceable population. They were arrayed against all the experience, talent,

* Chap. xxii. 29.

† Franklin's Works, Vol. I. pp. 85, 322.

and resources of the older world, and came off victorious. They have handed down to us a country and a constitution, and have put us upon a national career, affording boundless prospects to every citizen, and calling every individual to do for himself, what our fathers unitedly did for the country. What young man can start in life, with so few advantages, as our country started with, in the race of independence? Over whose private prospects, can there hang a cloud so dark as that which brooded over the cause of colonial British America? Who can have less to encourage, and more to appal and discourage him, than the sages and chieftains of the revolution? Let our young men, then, endeavour to walk in their path, and each, according to his means and ability, try to imitate their illustrious example, despising difficulties, grasping at opportunities, and steadily pursuing some honest and manly aim. They will soon find, that the obstacles which oppose their progress, sink into the dust before a firm and resolute step; and that the pleasures and benefits of knowledge are within the reach of all, who seek this invaluable treasure. In these observations, however, on the cultivation of the mind, I of course do not mean to say, that the condition, in which persons are placed, is a matter of indifference. This would be going much too far. Unquestionably there are limits, beyond which, the doctrine I have laid down and attempted to illustrate, does not apply. There are circumstances of birth and general condition, against the adverse influence of which, children, who are affected by them, cannot be expected, comparatively often, to make their way.

There are two classes of persons, in particular, whose children are called, in the providence of God, to overcome special obstacles to mental cultivation; and whose situation, in this respect, may be made the just subject of still further remark;—the very wealthy;

“*cuncta exsuperans patrimonia census,
Quanto Delphinis balæna Britannica major;*”

and those who are either paupers, or are but just above the depths of pauperism,

“*quorum virtutibus obstat,
Res angusta domi.*”*

* Juvenal. X. 13. Idem, III. 164.

The situation of both these classes is unfavorable to mental culture, and it is not certain, which of them has the greatest difficulties to surmount. The means of the poor man are extremely scanty; he is beset with many discouragements, if not with despair; and he habitually feels, that mental cultivation is, in his case, unattainable. Still many, immersed in the depths of poverty, have broken through all its difficulties and discouragements. On the other hand, the love of ease, amusement, and pleasure, — indolence with its seductions and fascinations, — gaming with its excitements, — fashion with its frivolities, — pride, vanity, and ostentation, beset the children of the very wealthy, on their way to improvement, virtue, eminence, and usefulness.

CHAPTER IV.

CULTIVATION OF A STRONG, DELICATE, AND PERMANENT SENSE OF DUTY.

EVERY man owes it to himself to cultivate a strong, delicate, and permanent sense of duty. The general importance of acting uniformly on this principle has been so earnestly insisted on before,* that I need not do much more than simply advert to it in this connexion.

A sense of duty is the helm by which we are to guide our course; nothing can or will supply the want of it. A good temper, a general good intention, a general disposition to do right, will not supply its place. It is something more than either or all of these. They approach it, they resemble it, they constitute a *part* of it. Still it is something more than all of them. Firmness and perseverance are among its constituent parts, and obstinacy and self-will are among the counterfeits of it, by which men are most apt to impose on others, and even on themselves. Without being governed by a sense of duty, the individual will be prompted by caprice, by passion, by preju-

* See above, pp. 11 - 14.

dice, by antipathy, by the seductions of pleasure, by the recklessness of false honor, by the aspirations of a criminal ambition, or by whatever other feeling, humor, impulse, or principle, may happen for the moment to have the ascendancy.

The being governed by a sense of duty embraces a suitable regard to every consideration, principle, sentiment, opinion, relation, fact, and circumstance from which any duty, of whatever kind, can spring. The requirements of Scripture, the law of the land, regard for consequences, propriety, (which, as Lord Kames well says, is not left to our own choice; but, like justice, is required at our hands; and, like justice, is enforced by natural rewards and punishments,)* decency, delicacy, — every thing which can give rise to a duty, however small, is acknowledged to have a claim to attention and regard.

CHAPTER V.

THE DUTY OF CULTIVATING PERSONAL RELIGION AND THE PERSONAL VIRTUES.

A SACRED writer, one whose experience in human affairs was perhaps unexampled, says, “Trust in the Lord with all thine heart; and lean not unto thine own understanding. In all thy ways acknowledge him, and he shall direct thy paths. Be not wise in thine own eyes; fear the Lord and depart from evil. Wisdom is the principal thing; therefore get wisdom; and, with all thy getting, get understanding. Exalt her, and she shall promote thee; she shall bring thee to honor, when thou dost embrace her. She shall give to thine head an ornament of grace; a crown of glory shall she deliver to thee.” † This language is as beautiful, as the sentiments are persuasive, valuable, and authoritative. Besides the sacred Scriptures, the duty of cultivating personal religion might be argued and illustrated from several sources. But, neglecting every other, I shall confine

* Elements of Criticism, Vol. I. p. 272.

† Proverbs iii. 5-7; iv. 7-9.

myself to the practical beneficial effect produced by personal religion on the entire character of the man. And to this end, I shall use the sentiments, and avail myself of the experience, of several individuals distinguished in more than one walk of life, in preference to my own.

Lord Chatham, in advising his nephew (Thomas Pitt) while at the University of Cambridge, writes thus ;— “ I come now to the point of the advice I have to offer you, which most nearly concerns your welfare, and upon which every good and honorable purpose of your life will assuredly turn. I mean the keeping up in your heart the true sentiments of religion. If you are not right towards God, you can never be so towards man ; the noblest sentiment of the human breast is here brought to the test.” Again he says, “ ‘ Remember thy Creator in the days of thy youth,’ is big with the deepest wisdom ; ‘ The fear of the Lord is the beginning of wisdom ; and an upright heart, that is understanding.’ This,” continues he, “ is eternally true.” “ Hold fast, therefore, by this sheet-anchor of happiness, religion ; you will often want it in the times of most danger, the storms and tempests of life. Cherish true religion as precious, as you will fly, with abhorrence and contempt, superstition and enthusiasm. The first is the perfection and glory of human nature ; the two last, the depravation and disgrace of it. Remember,” he concludes, “ the essence of religion is, a heart void of offence towards God and man ; not subtile speculative opinions, but an active vital principle of faith.”* Another statesman says, “ The individuals, the communities, that are penetrated with a truly religious spirit, and exercise the moral qualities which flow from that source only, regularly prosper. They inherit the earth. Those that pursue a different course, as regularly dwindle into nothing and disappear.” †

Again, the most accomplished and successful chemist of the present century says, “ I envy no quality of the mind or intellect in others ; not genius, power, wit, or fancy ; but, if I could choose what would be most delightful, and, I believe, most useful to me, I should prefer a firm religious belief to every other blessing ;

* Letters to his Nephew, at Cambridge, Letter IV.

† Speech of Alexander H. Everett in the Senate of Massachusetts, 1833.

for it makes life a discipline of goodness, creates new hopes when all earthly hopes vanish, and throws over the decay, the destruction of existence, the most gorgeous of all lights ; awakens life even in death, and from corruption and decay calls up beauty and divinity." Again he says, "Religion, whether natural or revealed, has always the same beneficial influence on the mind. In youth, in health and prosperity, it awakens feelings of gratitude and sublime love, and purifies at the same time that it exalts ; but it is in misfortune, in sickness, in age, that its effects are most truly and beneficially felt ; when submission in faith, and humble trust in the divine will, from duties become pleasures, undecaying sources of consolation ; then it creates powers which were believed to be extinct, and gives a freshness to the mind which was supposed to have passed away for ever, but which is now renovated as an immortal hope. Its influence outlives all earthly enjoyments, and becomes stronger as the organs decay and the frame dissolves ; it appears as that evening star of light in the horizon of life, which, we are sure, is to become in another season a morning star, and it throws its radiance through the gloom and shadow of death." * Such are the sentiments, and such the result of the experience and reflection, of men of the most cultivated understandings, and of the most enlarged acquaintance with human affairs.

The impression so generally prevailing, that sound religious sentiment is a matter of comparative indifference, or, at most, of inconsiderable importance, is one of the besetting sins and errors of the age and times in which we live. In ancient times, religious belief was regulated by enactments of the legislature, and enforced by the civil magistrate ; and a man's faith, still more than his practice, was decided upon and adjusted by the tribunals of criminal jurisdiction. In those times, a man's religious faith was imposed on him as imperatively as the law, which prescribed his civil duties, or which regulated the title by which he held his estate. No one can wish for the return of those times, and, if their return was possible, every good man must deprecate their approach as one of the greatest possible calamities. But, by the

* *Consolations in Travel, or the Last Days of a Philosopher*, by Sir Humphrey Davy, pp. 23, 206.

sacrifices of blood and treasure made by our ancestors to establish religious freedom and the free profession of religious faith, they never intended to sanction, much less encourage, an utter indifference to all religion. Religious freedom differed, in the view of our fathers, as widely from indifference to religion, as civil freedom differs from universal license and anarchy.

Nor, in permitting each individual to form his religious sentiments without restraint and without responsibility to other men, did they intend to divest him of that responsibility to his conscience and his God, which springs from the nature of this most important of all subjects, and from which, (that is, personal and individual responsibility,) as he cannot divest himself, so no power on earth can divest him.

In securing, too, perfect religious freedom for all men, our institutions impose a personal and individual responsibility on every man, which is, in a great measure, unknown in regard to every other subject. The law of the land is prescribed to us by our legislatures, and is authoritatively declared to us by our tribunals of justice. For the law of the land, therefore, no man is individually responsible, otherwise than as a member of the community to which he belongs. To aid in the management of the *civil* affairs of the citizens, the law has provided legal advisers, and has rendered them responsible for the advice which they give. So also the physician is made legally responsible for the safety of his patient. But the law prescribes his religion to no man, nor is his spiritual adviser made responsible for his advice. In this respect, our institutions have departed from their usual policy, and have charged every man with the full, undivided, and unqualified responsibility of securing his own salvation. I have thought it useful to illustrate this personal responsibility, which rests on every American citizen, in regard to his religious sentiments and character, and his destiny beyond the grave, because I am convinced that it is not always well understood.*

The personal virtues are to be cultivated in connexion with personal religion, and as its natural fruit and genuine offspring. It is probable, indeed, that the personal virtues have been culti-

* See an Address delivered by the author to the Graduates of the College of Charleston, at the Commencement of 1835, pp. 12 - 14.

vated in every age, in a greater or less degree, in connexion with religion, natural or revealed, and under its influence. This may be distinctly seen in many passages of the writings of the ancient philosophers ; but it may be still more distinctly seen in a numerous class of Christian writings.

The importance of self-examination, to ensure any considerable progress, either in intellectual or moral improvement, has always been understood, and the New Testament enjoins this as a special Christian duty. Accordingly pious Christians have, at all times, made it their special care to cultivate the peculiar virtues of our religion, on a plan, of which self-examination has made an essential part. Many such plans have been committed to writing by their authors, and have had merit enough, in the opinion of their friends, to justify their publication after their death. We have them under the form of private journals, in which is an entry, from day to day, of the feelings, trials, temptations, failings, encouragements, obstacles, backslidings, and advances of the authors, in pursuing the Christian life, all detailed with the utmost sincerity, and apparently without any reserve. Or they consist of sets of resolutions, cautions, and admonitions, pertaining to the author's personal state, condition, and prospects, and designed to be reviewed occasionally or at stated seasons.* Many of these are instructive, especially in this point of view, that they make us acquainted with the most private thoughts of their authors in their most private hours, when they were entirely withdrawn from the gaze and influence of men. Some of them are of very great value, and almost all of them contain unquestionable internal proof of their utility in enabling their authors to attain a standard of piety and virtue, which without their aid they, in all probability, would never have reached.

But the most curious and interesting document of this kind, which, as far as I know, exists, is a plan devised and practised upon during many years by the celebrated Dr. Franklin, of which

* The most valuable resolutions of this kind known to the author, are those of President Jonathan Edwards, which have often been published, and may be seen, probably, in any edition of his Works. They were written in early life, and manifestly contributed much to the formation of his moral and religious character.

he has given minute details, in the curious and instructive autobiography which he has left behind him. It is well known, that in early life he “conceived the bold and arduous project,” as he well calls it, of arriving at moral perfection; he wished “to live without committing any fault at any time, and to conquer all that either natural inclination, custom, or company might lead him into.” He did not exclude religion from his scheme, (in truth, it acknowledges “God as the fountain of wisdom,” and contains his religious creed, and a form of prayer for the divine assistance and guidance,) but it contained no distinguishing tenets of any particular sect; as he was persuaded, he says, that it might be serviceable to people of all religions, and he was unwilling to have it contain any thing which might prejudice any one of any sect against it. He gives a very full and candid account of the means and effects which he used to attain his end. He admits, that he was not entirely successful, but says, it contributed very much to the improvement of his morals.* As one of the means of attaining his end, he made a list of the virtues which he wished perfectly to acquire, on which he carefully and frequently examined himself. Under the circumstances, his list and arrangement of the virtues is, in some respects, instructive. The plan is commendable and worthy of imitation, and, on the basis of sound views of Christianity, and a deep sense of personal religion, could not fail to be generally and very highly useful.

Many of the virtues respect others chiefly, rather than ourselves;—these are not personal virtues, as I make use of the phrase. Justice, for instance, respects the rights of others chiefly. Of the virtues, more especially personal, Dr. Franklin enumerates temperance, order, frugality, industry, moderation, cleanliness, tranquillity, chastity, and humility. This enumeration is very incomplete;—it admits of many additions, among which independence of mind, dignity, self-respect, firmness, consistency, evenness, cheerfulness, and sociability of temper, must, upon the slightest reflection, occur to every one.

Temperance, as Dr. Franklin well observes, tends to procure that coolness and clearness of head, which are so necessary,

* Franklin's Works, Vol. I. pp. 88-98.

where constant vigilance is to be kept up, and a guard maintained against the unremitting “attraction of ancient habits,” and the force of perpetual temptations. To this he ascribed his long-continued health and his good constitution. To frugality and industry, he ascribed “the early easiness” and independence of his circumstances, the acquisition of fortune and affluence, with all that knowledge which enabled him to be a useful citizen, and obtained for him the high reputation which he enjoyed among the learned. He was extremely sensible of the value of a habit of order and method, by which “all his things might have their places, and each part of his business might have its time,” and he used the greatest exertions to acquire it. He was better satisfied with the fruit of his endeavours to acquire the other virtues, than with the result of those which he made to acquire this, to which he says he had not been accustomed from the outset of life, and with his progress in which he always seems to have been very much dissatisfied. He set himself to acquire humility, in consequence of being kindly informed by a friend, that his pride showed itself frequently in his conversation; that he was not content with being in the right, when discussing any point, but was overbearing, and rather given to insolence. To the joint influence of the virtues, even in the imperfect state in which, he says, he was able to acquire them, he was accustomed to ascribe all that evenness of temper, and that cheerfulness in conversation, which made his company sought for, at a very advanced age, and agreeable even to his young acquaintances.* In respect to moderation, discipline of temper, and love of peace, he does not seem to have failed much of that perfection at which he aimed. His moral practice seems to have been more perfect, than his list of virtues is complete. The cardinal virtues, which he so assiduously cultivated, drew within their influence and attraction those, which are kindred to them, and which his enumeration does not contain. On various trying occasions, and under all becoming circumstances, he showed himself not wanting in firmness, self-respect, dignity, and independence of mind.

Few men, too, have been more popular; but he used no un-

* Franklin's Works, Vol. I. pp. 90, 94 - 96.

worthy arts to acquire popularity. It is scarcely going too far, in this particular, to apply to him, all that Lord Mansfield claimed for himself. "I wish for popularity;" said that great jurist, "but it is that popularity which follows, not that which is run after. It is that popularity, which sooner or later, never fails to do justice to the pursuit of noble ends by noble means. I will not do that which my conscience tells me is wrong upon this occasion, to gain the huzzas of thousands, or the daily praise of all the papers which come from the press. I will not avoid doing that which I think is right, though it should draw on me the whole artillery of libels, all that falsehood and malice can invent, or the credulity of a deluded populace can swallow. I can say," continues he, "with another great magistrate, upon an occasion and under circumstances not unlike, *Ego hoc animo semper fui, ut invidiam virtute partam, gloriam, non invidiam, putarem.*"* In thus adverting to the life of Dr. Franklin, to illustrate the duty of cultivating the personal virtues, I am justified, if not so much by the practice of modern writers, yet by the great writers of antiquity, with whom this was a favorite mode of illustration. It is in this way, that Cicero and Seneca have illustrated the moral doctrines and principles which they taught, by availing themselves of the acts, habits, traits of character, and example, not only of Socrates, Plato, and Aristotle, but of Cato, Fabius, Lælius, Scipio, and a host of other patriots and statesmen whose names adorn the Roman history. †

* Quoted in Story's "Miscellaneous Writings," p. 415.

† Dr. Franklin had it in mind, during many years, to write and publish a work on practical morals; and he was only prevented from executing his intention by the pressure of his private business, in the earlier part of his life, and, later in life, by public business. He proposed to entitle it, "*The Art of Virtue*, because," says he, "it would have shown the means and manner of obtaining virtue, which would have distinguished it from the mere exhortation to be good, that does not instruct and indicate the means." It was his design to explain and enforce this doctrine, "that vicious actions are not hurtful, because they are forbidden, but forbidden because they are hurtful, the nature of man alone considered; that it was, therefore, the interest of every one to be virtuous, who wished to be happy, even in this world;" and, from this circumstance, it was further his intention to "endeavour to convince young persons, that no qualities are so likely to make a poor man's fortune as those of probity and integrity." (Franklin's Works, Vol. I. pp. 96, 97.) It must be admitted, that Dr. Franklin's morals were by far too exclusively *utilitarian* in their character, and his intend-

In cultivating the personal virtues, no one thing is more indispensable to success, than the government of the temper and passions ; among which jealousy, envy, anger, and its offspring, resentment, hatred, malice, and revenge, are the most dangerous. These passions are accustomed to disturb society enough ; but still more will they disturb and harass, if they do not destroy, the unfortunate individual, who gives way to them.

The malignant affection, with which some ill-constituted minds are ever disposed to view those whom they consider as competitors, is called *jealousy*, when the competitor is one who has not yet attained the height on which themselves stand, and when it is the future advancement of a competitor that is dreaded. It is denominated *envy*, when it regards some actual attainment of another. But the passion, varying with this mere difference of the present and the future, is the same in every other respect. In both cases, the wish is a wish of evil, — a wish of evil to excellence of whatever kind. “ Wrath is cruel, and anger is outrageous ; but who is able to stand before envy ? ”* There are minds, to which no scene of torture is half so dreadful, no pain half so exquisite, no sight half so disgusting, as superior virtue, excellence, and happiness. The envious man will wish all mankind to remain in ignorance of important truths, if the most important truths, that can be revealed to them, are to be the discovery of any other genius than his own. He will sigh over the relief which multitudes are to receive from the institutions of a wise benevolence, which *he* was not the first to prompt. He will sicken at the prosperity of his country, if this prosperity is made to enhance the glory of a rival. He will rejoice at the severest calamities which can afflict his country, if they can be turned to the disgrace, and much more to the ruin of a rival.

One change, however, would, in a moment, dissipate all the malevolence of this gloomy and selfish spirit. It would only be necessary to drive from the earth, every thing worthy of love and

ed work would have been, no doubt, strongly characteristic of his peculiar way of thinking on this subject. This work, too, is mentioned more than once in his correspondence with Lord Kames, in which he explains it further ; but his explanation is too long to permit me to quote it. (Life of Lord Kames, by Lord Woodhouselee, Vol. I. p. 372 ; Vol. II. p. 28.)

* Proverbs xxvii. 4.

approbation, — to make wisdom folly, kindness cruelty, heroic generosity sordid selfishness, and all the qualities, which raise admiration, the execration and disgust of mankind. The hatred of the envious might cease, where the hatred of the virtuous might begin. But the wishes of evil, which flow from such a breast, are still more evil to the breast which feels them, than to the excellence and happiness they are so willing to destroy. Hence it has been said of envy, paradoxically, that “it is at once the justest of passions, and the most unjust,” — the most unjust, in the wrongs which it is ever conceiving or perpetrating against him who is its object; the justest, in the punishment with which it is ever avenging on the envious man, the wrongs of which he has been guilty. This self-consuming misery of envy, is what happens to every envious man. He may, perhaps, overthrow his rival’s glory, but he will be crushed, like the rival of Theagenes, beneath the glory which he overturns.*

Nor do the more impulsive and vindictive passions of anger, and its kindred, malice and revenge, less impair personal excellence and happiness, than the malevolent passions, of which jealousy and envy are the chief. “Anger,” says Bishop Jeremy Taylor, “hath in it the trouble of sorrow, and the heats of lust, and the disease of revenge, and the boilings of a fever, and the rashness of precipitancy, and the disturbance of persecution.” † “There is such a resemblance,” says Seneca, “betwixt the transports of anger and those of madness, that it is not easy to know the one from the other. A bold, fierce, and threatening countenance, as pale as ashes, and in the same moment as red as blood; a glaring eye, a wrinkled brow, violent motions, the hands restless and perpetually in action, wringing and menacing, snapping of the joints, stamping with the feet, the hair standing, trembling lips, a forced and squeaking voice, the speech false and broken, deep and frequent sighs, and ghastly looks; the veins swell, the heart pants, the knees knock, with a hundred dismal accidents that are common to both distempers.” ‡

“Make no friendship,” says a sacred writer, “with an angry

* Brown’s *Philosophy of the Mind*, Vol. III. pp. 112–115.

† *Works*, Vol. I. p. 89.

‡ *Morals*, p. 269.

man ; for wrath is cruel and anger is outrageous. He that hath no rule over his own spirit, (i. e. does not command his temper,) is like a city that is broken down and without walls. An angry man stirreth up strife, and a furious man aboundeth in transgression.” *

Such is a specimen of the infirmities of temper, and the out-breakings of passion, which are accustomed to impair and obscure personal excellence. They are introduced as illustrative of this part of my subject ; but it is grateful to me, that any further notice of personal infirmities of any kind is uncalled for ; as it would be alike an irksome and an unprofitable labor.

Moreover, I am warranted in saying, on the ground of Scripture and experience, that the cultivation of personal religion, and of the personal virtues, contributes essentially to health, length of days, and success in the business of life. “Happy is the man that findeth wisdom, and the man that getteth understanding. Length of days is in her right hand ; and in her left hand riches and honor.” † It is probable, that this sentiment might be brought to the test of positive proof and actual experiment, by an extensive inquiry into the lives of individuals, especially into the lives of those whose biography we possess minutely and circumstantially written. Such an inductive examination my time and avocations have not permitted me to make ; but two specimens of testimony on this point have fallen in my way, which are so decisive and valuable, that I should do wrong to omit citing them.

A gentleman, educated at one of our most distinguished colleges, has furnished this statement respecting the class to which he belonged, not more than thirty years since. “It was a class,” says he, “from which much was expected, as the instructors were often heard to declare, and was certainly not deficient, when compared with other classes, either as to numbers or talents. Unhappily a very low *standard of morals* was prevalent ; only two of the class were free from the habit of profane swearing, and nearly all, except these two, would occasionally get intoxicated. This class went out into the world as one of the

* Proverbs xxii. 24 ; xxvii. 4 ; xxv. 28 ; xxix. 22.

† Proverbs iii. 13, 16.

hopes of the country. Comparatively, a small number of them ever occupied respectable and conspicuous situations. In *twenty-two years* after leaving college, *two thirds* of that class were known to have died ; and, of these, full one half died the victims of intemperance ; of the survivors, some now living are known to be in the lowest state of degradation.” Another individual has given the character and history of another class, which was graduated less than forty years since. “ It was numerous,” says he ; “ the influence was decidedly in favor of morality. Before leaving college, a large proportion came under the power of religious principle, in consequence of a general revival of religion. *Twenty-five years* after the time of graduation, only *one quarter* of the class had died ; and, of the surviving three quarters, a large proportion were occupying stations of considerable usefulness.”

These statements are highly instructive ; and it would be well, if others, in imitation of these gentlemen, would furnish direct testimony of the same kind, in regard to the connexion between early moral and religious character, and subsequent success in the business of life. The entire subject of such a connexion is worth a careful investigation. No persons are so well qualified to furnish the requisite information, as the aged graduates of our colleges. The reason of this is plain. No persons are so well acquainted with the real characters of each other, as those who have been associated in the relation of classmates at our colleges, in the gay and fresh season of youth, when mankind are not accustomed to disguise their motives, feelings, intentions, and principles.*

* See an Address delivered by the Author before the Euphradian Society of the College of Charleston, October 3d, 1833 ; p. 21.

CHAPTER VI.

THE DUTY OF CULTIVATING A DELICATE SENSE OF HONOR.

EVERY man owes it to himself to cultivate a delicate sense of honor. This might have been included in the former division, as one of the personal virtues ; but it is so frequently misunderstood, and withal so important, that I shall give it a distinct illustration.

When subjected to analysis, true honor is found to consist of the finest elements of feeling, of sentiment, and of action. It comprises delicacy of sentiment, manly spirit, and high courage, physical, and especially moral. The slightest touch of the base, the mean, the vulgar, and the false, is contamination and abomination in its sight. But I may well spare myself labor on this point, and avail myself of Cicero's analysis of honor (*honestum*), which, though made nearly two thousand years ago, still stands unrivalled. It is built, he says, on the superior nature and original excellence of man ; no animal having the slightest pretensions to claim such excellence. Indeed, he considers it synonymous with personal excellence of the most exalted kind. One of its ingredients is, the enlarged acquisition of knowledge on the most valuable and difficult subjects of inquiry. Purity, sincerity, integrity, and truth enter largely into its composition. It comprises a desire of influence, greatness of mind, and elevation of feeling above the usual estimate, tide, and course of human affairs. Still it acknowledges obedience to all just and lawful authority, of whatever kind, when justly and rightfully exercised. It admits and respects the claims of all duties, domestic, social, and patriotic, in their fullest measure. The observance of order, consistency, decorum, grace, dignity, and the most perfect propriety in all our sayings and doings, are among the particulars of which it consists. It is not insensible, too, to a nice and exact perception of the beautiful, the grand, and the sublime, in nature, and in human sentiments, actions, and character. It shrinks

from the approach of every thing impure, unmanly, and unbecoming in feeling, sentiment, and action. Of all these particulars is honor made up,* according to Cicero's analysis, — the *beau idéal* of every excellence, and imperishable in its claims to universal regard.† All the strict sects of ancient philosophers regarded it as the chief good (*summum bonum*), and the most considerable of them (the Stoics) regarded it as the only good.‡ And it was by expanding this *beau idéal* of human excellence in all its details, § that the great Roman moralist produced the work, which has ever since continued to instruct the successive generations of mankind.

This fine sense of personal honor, then, this combination of the rarest excellences of character, cannot well be too highly prized, or too carefully cultivated. It is to be cultivated in connexion with the other personal virtues of which it is the crowning glory (if indeed it does not include all of them), and more especially in connexion with the graces of personal religion, from which, as their root, they all ought to grow.

But, in the order of divine Providence, the best things and the best principles are productive of the very worst consequences, when they are misunderstood, perverted, or otherwise abused. This is præëminently the case with honor. Misunderstood and perverted, this quality, so enchanting, so delightful, and so valuable, changes its nature and becomes false honor, — quick, jealous, selfish, vindictive, knowing no law, human or divine, and in its wrath not sparing even the companion of its youth and the friend of its bosom, but seeking vengeance on its victim in a practice (duelling), which has been truly called the relic of a barbarous age, an excrescence, which has fastened itself on the system of modern manners, and, entrenched in public opinion, has defied the efforts of legislatures, of courts of justice, of courts of honor, and of extensive associations of patriotic individuals, themselves (*par excellence*) honorable men, combined for the explicit purpose of employing their influence and their

* “Quibus ex rebus conflatum et efficitur id, quod quærimus, honestum,” says Cicero, *De Officiis*, Lib. I. c. 4.

† *Ibid.*

‡ *Idem*, c. 2, note; Pearce's edition.

§ Particularly in Book I.

example to bring it into disrepute. It is no proof of courage ; many a man has been driven to the field of honor, falsely so called, for want of courage to refuse. A refusal to sanction this practice by resorting to it, is no proof of cowardice, — for not a few have refused to resort to it, who have not refused to meet death at the cannon's mouth ; to whom fear, in the way of their duty, was a feeling unknown ; who have dared to do right, be the consequences what they might, — who have respected the law of God and the law of their country more than an irresponsible public opinion, — who have feared nothing but what was base, mean, and false, — who have embraced the sentiment of the greatest of our dramatic poets, when he says,

“I dare do all that may become a man ;
Who dares do more, is none.”

It was a practice equally unknown to the manly Romans, those high-spirited conquerors of the world ; and to the polished Greeks, those originators of the arts and sciences, in which they have been the instructors of all succeeding nations.

Such, as I have illustrated it, is the genuine meaning of honor ; such was the understanding of antiquity ; such is the analysis of Cicero ; — a combination of the highest personal excellences, to which human nature can, under the best culture, attain.

CHAPTER VII.

THE DUTY OF GUARDING OURSELVES AGAINST PREJUDICES, ANTIPATHIES, &c.

IT is a personal duty to guard ourselves against prejudices, antipathies, and prepossessions, which will lead us astray from the path of duty, truth, and even an enlightened self-interest. Prejudice, prepossession, bias, aversion, antipathy, are all terms expressive of an habitual state of feeling, that is, passion, under various shades, modifications, and degrees. The effect of them all is, to disturb the reason, to cloud and darken the understanding, and to pervert the conscience. Consequently, the evidence

by which our opinions, sentiments, and conduct ought to be governed, is greatly obscured, and makes but slight impression. They all imply something wrong in our habits, education, ways of thinking, or usual state of feeling. In their more intense degrees, they are unquestionably criminal, — frequently they are highly so. Many of them are contracted very early in life ; but all of them are injurious, and it is our duty to divest ourselves of them as far as possible.

“In such a state of society,” says Dugald Stewart, “as that in which we live, the prejudices of a moral, political, and religious nature, which we imbibe in early life, are so various, and, at the same time, so intimately blended with the belief we entertain of the most sacred and important truths, that a great part of the life of a philosopher must necessarily be devoted, not so much to the acquisition of new knowledge, as to unlearn the errors, to which he had been taught to give an implicit assent, before the dawn of reason and reflection. And, unless he submit in this manner to bring all his opinions to the test of a severe examination, his ingenuity and his learning, instead of enlightening the world, will only enable him to give an additional currency, and an additional authority, to established errors. To attempt such a struggle against early prejudices, is, indeed, the professed aim of all philosophers ; but how few are to be found, who have force of mind sufficient for accomplishing their object ; and who, in freeing themselves from one set of errors, do not allow themselves to be carried away with another ? To succeed in it completely, Lord Bacon seems to have thought to be more than can well be expected from human frailty.”* If then we are responsible for our opinions, sentiments, feelings, and conduct ; if it is important for us to have the conscience unperverted, the reason undisturbed, and the understanding unclouded ; — it is a high personal duty to guard ourselves against these classes and modifications of our feelings, and, as far as possible, to divest ourselves of their influence.

But the subject admits of a more particular illustration. The old man is dissatisfied with every thing around him, seizes every

* *Philosophy of the Mind*, Vol. I. p. 28.

occasion, like Nestor, to praise the times that are past, and insists that every thing has changed for the worse since he was a young man. It is all the effect of prejudice. Youth is a season of joy and delight, the sensibilities are active, the affections warm, the imagination buoyant and creative, all the powers of body and mind are fresh and elastic, want and anxiety have not begun to distress us, — and, more than all, hope sheds its bright illusions on our path, and gilds all our prospects with its rays. No wonder, then, that the reminiscences of youth are, as age advances, extremely pleasant, and that the old man believes every thing has changed, since he was young, for the worse ; when, in truth, the essential change has been in himself.

Again, we have prejudices in favor of our country, its institutions, and even its customs and fashions. A just attachment to our native country and its institutions is an important duty ; but this is quite different from a blind and bigoted attachment to every thing of native origin and growth, and is quite consistent with a liberal feeling and enlightened judgment respecting foreign countries, their inhabitants, and their institutions. Such prejudices often do much mischief. They are seen in the feelings, opinions, and sentiments, which the English, French, Spaniards, Italians, and Germans mutually entertain for one another. The existence of such feelings cannot be denied, and their influence in perplexing our judgments of men and things is extensively felt. There is great diversity among nations in respect to fashions of dress, and forms of civility and polite intercourse ; and these are the subject of many prejudices. Unless they encroach upon health, morals, religion, or something else involving considerations of moral duty, they are essentially a matter of indifference, and every wise man, wherever he is, will pay a suitable respect to them. They form no reason why one nation, or one age, should ridicule and despise another, or arrogate to itself any superiority over another. Custom and fashion have a rightful jurisdiction in things which nature has left indifferent ; but in every particular that can be denominated *proper or improper, right or wrong*, the *principle of duty* takes precedence of every other ; custom and fashion have little authority, and ought to have none.*

* Kames's Elements of Criticism, Chap. XIV. pp. 130, 131.

Besides these, there are professional prejudices ; and what may be termed prejudices of authority. Men often adopt unsound opinions, merely because they are proposed by writers of great celebrity. The writings of Aristotle had such authority in Europe, during many centuries, that nothing more was necessary to sustain any opinion or sentiment, than to cite them in its favor. There are, too, prejudices arising from personal friendship and dislike. But, of all the classes of prejudices which may blind and mislead us, none more require to be understood by every good man, that he may guard against their influence, than those which spring from sects and parties. There are parties in science, in politics, in religion, and on every other subject involving important interests. The spirit which animates all parties and all sects, although it differs much in intensity and virulence according to circumstances, is still essentially the same. It is not many centuries, since the controversies between the philosophical sects of the Realists and Nominalists ran so high, that the parties, after a public disputation of some days' continuance between their respective champions, drew themselves up in battle array, and an abstract metaphysical discussion was terminated by the use of fists, clubs, and swords, — by the killing of some and the wounding of many. The virulence of political prejudice and antipathy is too familiar to us all, to require more than a single illustration. "Political charity," says Gouverneur Morris, "is puss's velvet paw, soft so long as she purrs with pleasure ; but, let the meanest little mouse of an opposite party peep at the veriest paring of an office, away jumps the cat, her claws extended, her eyes flashing fire." * It is due to the subject of religious party prejudice to say, that the bitterness, with which its controversies were once waged, has been greatly softened, as public opinion has become enlightened, as knowledge has advanced, and as the claims of toleration and Christian charity have been more generally understood and acknowledged. Most religious controversies are now conducted with a degree of moderation, decorum, and good temper, well becoming their sacred subject.

* Life and Correspondence, by J. Sparks, Vol. III. p. 305.

Probably most persons can recollect the history of prejudice in their own minds. They can remember, when their favorable opinions of men and things did not extend beyond their own neighbourhood, parish, or city. The distant parts of even their own State were believed to be far inferior, in all respects, to those in which they had their birth and education. The inhabitants of other, and especially far distant States, were supposed to be far less moral, respectable, and estimable, than those of their own State. The inhabitants of all foreign countries were considered little better than semi-barbarians. As they have advanced in life, however, and become more acquainted with men and things, these prejudices have gradually vanished, and upon actual acquaintance, the people of distant States, cities, and countries, have been found to be very much like those of the neighbourhood or city, which was the original scene of their observations and attachments. In like manner, the superiority which we claim for the times in which we live, over times long since gone by, is, in great part, founded in prejudice.

PART FIFTH.

A REVIEW OF THE CHIEF PROFESSIONS AND EMPLOYMENTS OF LIFE, SO FAR AS REGARDS THE MORAL DUTIES WHICH THEY INVOLVE; THEIR MORAL PRINCIPLES, PRACTICES, INFLUENCES, AND TENDENCIES.

THE multifarious professions and employments of men all require corresponding qualifications of body and mind. Like the various relations of life, each has its appropriate sphere of duty and usefulness; each has its measure of responsibility; each induces peculiar habits, ways of thinking, partialities, and even prejudices; each has its well-known customs and practices; each has its peculiar trials and temptations, as well as encouragements; each is accompanied by peculiar tendencies and influences of a moral kind; and all these, combined, give to men of every walk of life a peculiar cast of character. More than this, they fasten on almost every man certain peculiarities of person, and even of countenance.*

To the various professions and employments, a well ascertained rank in general estimation is attached, which, somewhat modified either by the internal state of society, or by controlling external circumstances, has been much the same at all times, and in all countries where civilization has made any considerable advancement. Cicero has touched this topic, though not with his usual fulness and exactness of knowledge. Still I shall avail myself of his observations so far as they are just, and, so far as they suit my object, I shall incorporate them with my own.†

The employments of all those classes of hired persons are humble, and have nothing liberal in them, whose labor (*opera*),

* Alison on Taste, p. 375.

† De Officiis, Lib. I. c. 42. 22.

not whose skill (*ars*), is purchased by their employers; “because,” he says, “the very wages they receive are a badge of their servitude.” Again, all those are unworthy employments, which procure a man general ill-will and hatred; such, for instance, is the business of usurers, tax-collectors, officers of the customs, &c. Artisans of every class have but a mean sort of calling; and, he affirms, “there can be nothing liberal in a workshop.” All those employments are still more mean and contemptible (*minimé probandæ*), which are the handmaids of luxury and pleasure; and, in this sentence, he passes judgment, among others, on the employments of perfumers, dancing-masters, and the manufacturers of cards and dice. But professions and employments, which require knowledge and skill for their successful practice, and those which are of great and acknowledged public usefulness, such as medicine, architecture, and the instruction of youth in good learning, are commendable and honorable in those, he says, whose rank and condition in life such employments befit. The profession of merchandise is sordid and mean, he thinks, where the trade that is driven, is small and inconsiderable; but is creditable enough, when it embraces a great amount of business, importing goods from every country, and selling them again without defrauding or deceiving; with which, he alleges, the pursuit of merchandise, in the small way, is exceedingly disgraced. He admits, however, that the profession of the merchant is very highly honorable and praiseworthy, where his design is, after having obtained a sufficiency of wealth, to spend the remainder of his life in the dignified retirement of the country. Of all pursuits, he considers agriculture the most pleasant, agreeable, and profitable, — as in all respects the best and most dignified of all human employments, and, therefore, the most worthy of a man of a liberal mind. Lawyers, orators, and statesmen held a very elevated rank at Rome, as they have always everywhere else. Rome was engaged in almost continual wars, and the profession of a soldier was, therefore, a source of frequent and high distinction; still Cicero gives the preference to the more eligible and honorable employments of civil and peaceful life. These views of the rank and dignity of the chief professions and employments of life are transcribed

from the Roman moralist, with very slight changes, and they were no more suited to the state of things at Rome, than they are to this country and to our times.

CHAPTER I.

A REVIEW OF THE PROFESSION OF THE LAW, INCLUDING A MORAL ESTIMATE OF THE LEGAL PROFESSION, SO FAR AS IT NATURALLY COMES UNDER THE VIEW OF THE MORAL PHILOSOPHER.

ALL the best authorities insist upon what might be concluded from the nature of the case, that good morals are indispensably requisite to the attainment of the highest order of excellence and success in the study and practice of the law. Sir James Mackintosh says, "Remember this is a maxim, which arises from the very character of the study, that he who is a great lawyer, must be a great and a *good* man."* Again, "There is a dignity of character, which it is of the utmost importance for every one in this profession to support. For it must never be forgotten, that there is no instrument of persuasion more powerful, than an opinion of probity and honor in the person who undertakes to persuade. It is scarcely possible for any hearer to separate altogether the impression made by the character of him who speaks, from the things which he says. However secretly and imperceptibly, it will be always lending its weight to one side or the other; either detracting from, or adding to the authority and influence of his speech. This opinion of honor and probity must, therefore, be carefully preserved, both by some degree of delicacy in the choice of causes, and by the manner of conducting them."† Truth, honor, probity, and integrity are elements of character essential to the great lawyer.

The integrity and honor to which I refer, are not confined to that common principle of honesty, by the influence of which, men are prevented from defrauding each other in the general

* Study and Practice of the Law, p. 19.

† Blair's Lectures, p. 273.

intercourse of life ; they extend to that inward principle of rectitude, which sets a man above those professional misrepresentations, and which leads him to scorn those advantages, which are the choicest aliment of the crafty and the unprincipled. It is in vain to contend, that the nature of the calling demands a resort to artifice and cunning, and that, therefore, no man can succeed without them. If this were true, it ought to deter every man from entering into a profession, the principles of which were so contrary to every dictate of truth and honor. Cunning is the wisdom of the vulgar and the unprincipled ; its very essence is made up of meanness, concealment, and disguise.

There is surely nothing in law itself, which naturally leads its professors to substitute cunning for wisdom. Far otherwise. "In contemplating law as a universal principle," says one of our own jurists, "which all beings animate and inanimate obey, the mind is filled with the magnitude of the conception. Not only creatures, but the Creator himself acknowledges a rule of conduct. Those spirits who surround his throne, and are swift to do his will, and all inferior orders of rational beings, whether in society or solitude, recognise the will of their creator as the law of their existence. In the revolution of the heavenly bodies, in the succession of seasons, and indeed throughout the whole course of nature, the footsteps of a Divine Lawgiver, are no less manifest than among the highest intelligent spirits."* Indeed it may be said with the utmost truth, that the general law of this country is a noble superstructure, raised upon the everlasting foundation of truth and reason ; calculated by its beauty to excite the admiration, and by its strength to be the defence of the people. Whoever will look with an eye of understanding into our courts of justice, will behold the utmost that the combined labor and wisdom of man can perform ; he will find the property of his countrymen, however diversified, arranged into its simple parts, distributed according to its true nature, and secured to its rightful proprietor. He will perceive the anxiety of the ancient British lawgivers, whose labors have descended to us, and of our own legislatures and courts of justice, to adapt the laws to

* The Hon. P. O. Thacher's Address before the Bar of Suffolk, Massachusetts, 1831. p. 16.

every occasion which can arise to human foresight, or from the varying circumstances of human affairs. The aids which are afforded in equity to mitigate the severity, or assist the incompetency, of the common law, the systematic arrangement of the courts, and the liberty given to every man to appeal from the inferior to the superior courts, until at last he reaches the highest standard of authority and law, exhibit striking evidence of the excellence and dignity of our system of jurisprudence, which demand the reverential affection of every good man, and which ignorance and perverseness alone will deny. The *natural tendency* of the study of the law, therefore, must be to cherish honor, integrity, and elevated moral sentiments and feelings of every kind.

Professional honor and integrity will forbid the advocate to engage in a business of notorious wrong. But here a very nice and curious distinction arises. Could the term *wrong* be accurately defined, there would, perhaps, be little difficulty; but such a definition is no easy matter, where our interests or inclinations interfere. Still, two limitations have been laid down by the late Sir James Mackintosh, the propriety of which is very manifest.

1. "That is a notorious wrong, when one man seeks, by a wresting of the law to his own purposes, to despoil another of his rightful property, or to obstruct his obtaining the possession of it; and he who assists in the execution of any such plan, no matter under what pretence, incurs, if not an equal, at least some share of guilt with the original instigator of the wrong. This being the truth, the question next arises, What ought to be considered as despoiling, and what assisting? With respect to the first, this rule may be laid down as worthy of particular observance, to wit, that, where it becomes necessary to pervert not the spirit only, but the terms of a written law, in order to support a cause, no lawyer of integrity will engage in such a business. This is a very plain case. As to the second part of the question, what may be called assisting; I observe, that whoever is the voluntary instrument, by speaking or writing, of turning a law calculated to produce protection and benefit, to oppression and wrong, must clearly be an accessory; nor will

the plea of professional necessity avail him, since that necessity cannot exist in an honorable profession.”

2. “ Again, that is a notorious wrong whereby a law, clear and express in its correction of a public grievance, is sought to be weakened or evaded. If an offence against such a law be plain to the conscience and understanding of the advocate, can he, consistently with the dictates of integrity, rise up in court to defend the culprit ? There are few cases free from doubt ; and it may be readily conceded, that many causes are defended in a public court of justice, and necessarily so, by *the advocate*, (as for instance when he is assigned the counsel for a party by the court,) which would be given up in the closet by *the man*. Of this all men must have been long since well convinced ; and they have agreed to justify it, and it may be justified upon these grounds, independently of the authority of the court, and of the nature of the lawyer’s public engagements ; to wit, that there is right somewhere, and that there is, also, a greater or less probability of its being on our side. But, in the case I have proposed, there can be no right existing, and integrity must, therefore, be violated by an attempt at defence.”

“ It will be no good plea for the lawyer to urge,” continues he, “ that if he does not undertake a particular matter of business, another will ; for thus are the boldest transgressions, not only against conscience, but against the laws themselves, excused. It will be more rational for him to call to mind, that not only his own honor, not only the feelings and property of others, but the laws and the community, may be affected. Nor am I laying down nice rules of a novel or abstract morality. Were I inclined to do this, my observations might be carried much further ; but they have been confined within a narrow compass, and to very plain cases. Whatever has regard to *the spirit of the laws*, I have entirely and purposely omitted, because that can be ascertained and settled only in those august tribunals, that are appointed by the law. My wish is to impress upon the minds of my readers, a sense of the integrity and honor that do not consist in visionary speculation, but that are suited to the useful and important purposes of practical life.” *

* Study and Practice of the Law, p. 252 - 254.

Many qualities are requisite to success in the lawyer ; but no one is more so, than the spirit of honor and integrity on which I have insisted. All the knowledge of legal doctrines, whether theoretical or practical, all the habits of study, all the strength of a deep and penetrating judgment, must be blended with a mellowness of manners, to be acquired only in the school of life, and with a fertility of genius, which is the gift of nature alone. He must be able at once to influence the passions of a jury, and to convince the understanding of the judge ; he must appear in all the varied characters of the abstract reasoner and the lively wit, the accurate definer and the polished rhetorician. The dignity of wisdom and the facility of business, the nervousness of eloquence and the easy familiarity of colloquy, must take their turns in the varieties of his practice. All that is excellent in general knowledge, and refined in legal intelligence, must be called in to complete the character of the finished advocate in our courts.

The lawyer, then, to gain the summit of legal excellence, must unite the most opposite qualities, and be capable of exercising them ; he must have a quick discernment, and yet a solid understanding ; he must not be destitute of imagination, yet he must possess a sound judgment ; he must know books, yet be well learned in mankind ; the subtile technicalities of law, and the enlarged beauties of classical learning ; the solitary habits of study and the easy refinements of active life, must equally distinguish him. In fine, he must unite in himself all those noble and useful qualities, by which he may at once command the attention of the acute and the learned, and render himself intelligible to the most ordinary capacity. In the accomplished lawyer, this combination of rare qualities, must be crowned with a corresponding sense of honor, probity, and integrity.

A rare combination of qualities, then, physical, moral, social, and intellectual, is requisite to the accomplished lawyer, — the spirit of the law when unsophisticated, and its main tendency when unperverted, are, to elevate the moral character ; — still there are other tendencies, which, unless they are known and guarded against, will degrade the personal and professional character of the lawyer. All lawyers are not men of elevated moral sentiments and feelings. Some lawyers may understand the prin-

ciples of law well enough ; but they are wrapped up in the terms of art, and the technicalities of practice, and greatly neglect the life, spirit, and tendency of the law which they study and apply. To them, the law is nothing more than a dull piece of mechanism. It has no life, no elevation, no spirit, no principle of philosophy, no connexion with genius and liberal learning. A spirit of subtilty and finesse, too, in another class of lawyers, has often been alleged to disgrace the bar. Every honest advocate will be anxious to give as little occasion as possible to such an accusation. "He will recollect," says Sir James Mackintosh, "that those intricacies, which unavoidably obscure the legal science, have had their source in no honorable propensities of the human mind, and that he will, therefore, be doing a great wrong in adding to them."* There is no pride so unworthy of an enlightened mind, as that which delights itself with the needless intricacies of any science ; much less is it excusable in availing itself of the obscurity that enshrouds the law ; a science that ought to be most clear, and that will cease to be so, only in proportion as the sentiments and manners of men degenerate from the standard of purity. The motives that induce this kind of pride are selfish and unjust ; since he must be selfish and unjust, who labors to obscure knowledge rather than to diffuse and explain it.

The study and practice of the law, moreover, have been frequently charged with inducing narrowness and contractedness of mind. Sir James Mackintosh often admonishes the lawyer of the importance of cherishing enlarged sentiments, and of aiming at expansion as well as strength of mind. And, without directly charging any part of the profession with narrowness of mind, he still says, "A little mind is obviously distinguished from a great mind by its continued association with cases of a trifling import, which, by imperceptible degrees, acquire an ascendancy over it, and at length appear before it in a false light, and clothed with an unreal importance. Thus secured in their possession, they communicate their debasing influence, and confine the faculties of the mind to a very limited sphere. This will appear in every sentiment and in every action of the man who is thus enslaved ; and

* Study and Practice of the Law, p. 249.

the only distinction that can possibly exist between this character, when seen only in private, and when exhibited in public life, is, that the latter will be more conspicuously degraded and unhappy. It must be considered, therefore, as a circumstance of peculiar infelicity, when a man, who has to sustain the character of an advocate in the courts of justice of a free and enlightened country, and in an age, too, of great political and philosophical refinement, has permitted his ideas to range into no sphere beyond that in which he himself has moved ; when he has contemplated no situations but those of his own confined circle, and investigated no system beyond the technicalities of business. From such circumstances what unhappy consequences will not ensue ? Irregular positions, unjust conclusions, uncertain notions of truth, and mutilated conceptions of justice, are evils of no inferior kind, and very closely follow so deplorable a state of mind.”*

Every profession has its unworthy members, — unworthy in respect to qualifications, character, general spirit, intentions, purposes, &c., and the law is not without them. The smallest temptation of interest, passion, or prejudice, suffices to induce them to pervert and frustrate justice, in every way known to the unscrupulous and the crafty. They are an instructive instance of the danger of literary and professional education, when not accompanied and directed by moral principle. A resort to subtlety and finesse, and the use of technical terms and formalities, to obscure the law and obstruct justice, have brought no small share of public reproach on a profession, the great majority of whose members are men of elevated moral sentiments, and of exemplary character. All reproach uttered against entire classes of men is essentially unjust. This is true of lawyers as well as other classes of men ; and the reproach, justly deserved by a small number, has extended itself, in a considerable measure, to the entire profession. Sir James Mackintosh prefers high claims in their behalf, and congratulates his country “upon the general morality of its legal professors. It may be reckoned,” continues he, “as one of its brightest honors, that there is not only a great accumulation of learning and talent at this moment in its courts of justice, but

* Study and Practice of the Law, p. 221.

also that they are crowded by men, who, whatever may be their opinions in other respects, possess the soundest principles of moral truth." *

There is said to be a striking difference between the education and course of life of an American and an English lawyer, which would, it is affirmed, disqualify the latter from maintaining in our courts a successful contest with the former. In England, the complexity of the system, its antiquated, mysterious, and perplexing rules, with their endless exceptions ; its forced constructions, and almost invisible distinctions, have a tendency to improve the lawyer at the expense of the man ; whilst, in this country, other and more exalting circumstances improve the man, though, perhaps, somewhat at the expense of the more technical practitioner. As soon as the American lawyer attains to high reputation, he is enticed into public life, when the contentions of politics, and the interests of States become the objects of his attention, to the enlargement of his intellectual powers. Instead of sinking down into the little lawyer, whose ideas are imprisoned within the bounds of a single branch of jurisprudence, and whose contracted intellect can, after a time, comprehend nothing that is not embraced in his digests, he looks abroad, he perceives something which he regards as better than mere technical learning, and resolves to attain it ; he soars aloft ; and, though he may fall short of his high aim, he seldom fails to reach an elevation far beyond the fondest aspirations of any professional attendant in Westminster Hall. He, who, in Great Britain, devotes himself to the profession, becomes acute, subtile, and learned in that department of the science which he may have selected, whilst in every thing else he is, with few exceptions, decidedly ignorant ; here, on the contrary, he becomes a man of business, an acute debater, a respectable legislator, as well as a *general* lawyer. In England, they complain that the law is a jealous mistress, depriving of her favors all who remit their attentions, or who address them even incidentally to other objects. Polite letters are proscribed, the pernicious influence of poetry would blast their

* Study and Practice of the Law, p. 245.

prospects for ever, and even history is to be shunned as warring against jurisprudence.*

This is a strong view taken in behalf of American, compared with British lawyers; but Mr. Justice Story, of the Supreme Court of the United States, anticipates a still higher character for future American lawyers, arising from the influence of our institutions. "The establishment of the National Government," says he, "and of Courts to exercise its constitutional jurisdiction, will, it is to be hoped, operate with a salutary influence. Dealing, as such courts must, in questions of a public nature; such as concern the law of nations, and the general rights and duties of foreign nations; such as respect the domestic relations of the States with each other, and with the general government; such as treat of the great doctrines of prize and maritime law; such as involve the discussion of grave constitutional powers and authorities; it is natural to expect, that these Courts will attract the ambition of some of the ablest lawyers in the different States, with a view both to fame and fortune. And thus, perhaps, the foundations may be laid for a character of excellence and professional ability, more various and exalted than has hitherto belonged to any bar under the auspices of the common law; a character in which minute knowledge of local law will be combined with the most profound attainments in general jurisprudence, and with that instructive eloquence, which never soars so high, or touches so potently, as when it grasps principles, which fix the destiny of nations, or strike down to the very roots of civil polity.†

The advocate must guard against prostituting his talents and character on the side of notorious wrong, — he must not rashly expose himself to the imputation of being rendered blind to enormities by the desire of gain, — he must not involve himself, by haste and inadvertence, in transactions, without previous inquiry into the circumstances attending them, — he must not lay himself open to the suspicion of engaging in a cause from motives of personal pique and animosity to the adverse party, — without in-

* See the substance of this paragraph in "The Southern Review," for May 1829, Art. 7, ascribed to the Hon. Samuel Prioleau of South Carolina.

† Address before the Suffolk Bar, in "Miscellaneous Writings," p. 426.

dulging in such scruples as are unnecessary, he must fully satisfy all those which integrity and prudence may suggest ; — but, when he has *once undertaken the cause of a client*, it is his duty never to forget, that in undertaking it, he makes it his own, and that it is entitled to the same attention and earnest interest, which he gives to his own business. This feeling imparts a glow and a fervor to every look, gesture, and action ; and these, of themselves, do much to advance every cause in which they are enlisted. Men are satisfied and gratified, when they find their business thus warmly undertaken. When they perceive, that every thing, which they themselves can think of, is said and done for them, they are led insensibly into the belief, that their advocate perceives and is affected by the justice of their cause.

Every client is entitled to expect, that he who undertakes his business will bring such a disposition to his aid ; without which, indeed, he cannot well acquit himself of the full measure of his duty. It incites a feeling of sincerity towards the interest of the client, which will not permit any indifference or neglect in his concerns. It will not attempt to avail itself of the excuse that the business was of little importance ; — that is ever of importance upon which the interest and peace of a man depend. Besides, who is to be the judge of the importance of any business ? Men are seldom inclined to enter, as litigants, into a court of justice, who do not conceive themselves to have been seriously injured ; and, when once they have thus determined, and the advocate has accepted their cause from their hands, he pledges himself, in every sense of the term, to act for them as they themselves would act. He, therefore, who undertakes a cause which he is not resolved to support to the utmost of his power, does a thing inconsistent with his duty. When the chastened eloquence of the advocate is animated by the fervor of the client, every sentiment of justice and every faculty of the attention are called forth. In the energy that is thus produced, there is a most wonderful power ; it is seen in every department in which it is exercised, from the insignificance of ordinary conversation, up to the most important public discussion. The moment we see a man energetic, we are induced to think that he believes himself in the right, and that he is interested in what he says.

This frequently has a most happy consequence in forensic proceedings. We shall not often succeed in our attempts to interest others, in that about which we ourselves appear to take but a small concern.*

The duty of giving honest advice, and of taking pains, by sufficient reflection, by reading, and, if difficulties occur, by consulting other professional men, to render that advice sound and correct, attaches to the lawyer as much when the matter in question is of a private nature, as when it is to be brought by him before a court of justice. And the injury arising to those who apply to him, from his want of integrity or of attention, may prove as great in the former case, as in the latter. Moreover, an honest advocate will not prefer a particular way of proceeding, from views of personal emolument, to another more eligible for his client; and, if two ways appear equally conducive to ultimate success, he will pursue that which promises to be the least irritating, dilatory, and expensive, both to his client and to the opposite party.†

The judicial character is naturally the perfection of the character formed under the influence of the study and practice of the law; since those lawyers, who have most distinguished themselves at the bar, are habitually raised to the bench. The severe training of the bar is a necessary preparation for the bench. To the judges, our fortunes, characters, liberties, and lives are, in the last resort, committed;—their talents are to illustrate the law, their virtues are to adorn the bench, and their judgments are to establish the rights, and secure the interests, of the citizens. Full and exact knowledge of the law, patient attention during the trial, candor, impartiality, kindness to the bar, deference to the other members of the court and urbanity to all, dignity of deportment, genius which commands respect and learning which justifies confidence; above all, incorruptible integrity, are the main qualifications requisite to the successful administration of justice.‡

* Sir James Mackintosh's *Study and Practice of the Law*, p. 250.

† Gisborne's *Inquiry into the Duties of Men, &c.*, Vol. I. pp. 369, 370.

‡ Story's *Discourse on the Life, Character, and Services of Chief Justice Marshall*, p. 67.

He whose duty it is to administer justice, is bound to add the sanction of a good life ; — but, besides this, various occasions will occur, which will enable the judge to advance and strengthen the cause of good morals, and of which he ought to avail himself. When a prisoner, for instance, is to be sentenced for a capital crime, an opportunity frequently presents itself, of making a deep and salutary impression on the mind both of the unhappy victim, and of all who are witnesses of his condemnation. A wise and conscientious judge will not neglect so favorable an occasion of inculcating the enormity of vice and its fatal consequences. He will not neglect, too, to direct the attention of his audience to those views of the nature and consequences of transgression which are implied and disclosed in the solemn denunciations of the Gospel. Nor will he manifest indifference to the criminal himself ; but, dispensing justice in mercy, he will grant him all the indulgences and alleviations of his situation, which may be consistent with his duty. In cases of acquittal, also, a judicious and pertinent address from the judge to the person acquitted, may sometimes guard him, if innocent, against those indiscretions and *connexions*, which might ultimately have led him into crimes ; — if guilty, against subjecting himself, in future, to the risk of the punishment which he has now chanced to escape. *

Moreover, it may be said with great truth, that the courts both in England and in this country, especially the higher courts, have been eminently distinguished for the best qualities that adorn the judicial character. Of the English courts, Chancellor Kent says, — “ The judicial tribunals have been almost uniformly distinguished for their immaculate purity. Every person, well acquainted with the contents of the English Reports, must have been struck with the unbending integrity and lofty morals, with which the courts were inspired. I do not know,” continues he, “ where we could resort, among all the volumes of human composition, to find more constant, more tranquil, and more sublime manifestations of the intrepidity of conscious rectitude. If we were to go back to the iron times of the Tudors, and follow judicial history down, we should find the

* Gisborne's Inquiry, &c., Vol. I. p. 395–408.

higher courts of civil judicature, generally, and with rare exceptions, presenting the image of the sanctity of a temple, where truth and justice seem to be enthroned, and to be personified in their decrees.”* “Perhaps,” says a writer, well entitled to be heard on this subject, “the perfection of the judicial character consists in the exhibition of pure intellect, divested of human sympathy. And yet, who would choose for his judge such a monster of perfection? He is the truly great lawyer, who understands the law and the reason of it, and has the talent to apply it to all the occasions of the profession, whether at the bar or on the bench. He is the fortunate judge, who can so conduct himself on the seat of justice, and clothe his decisions in such language, that both he who wins and he who loses his cause, can unite in paying a deserved tribute to his wisdom and integrity.” †

CHAPTER II.

THE MORAL INFLUENCE AND TENDENCY OF THE STUDY AND PRACTICE OF MEDICINE AND SURGERY, WITH THE DUTIES OF A PHYSICIAN TO HIS PATIENTS, TO THE FAMILIES INTO WHICH HE IS ADMITTED, TO OTHER PHYSICIANS, AND TO SOCIETY IN GENERAL.

DR. Benjamin Rush has carefully inquired into the virtues and failings peculiar to physicians, with a view to an estimate of the moral character of the profession, of which he was one of the most distinguished ornaments, which this or any other country has produced. He has also extensively reviewed the lives of physicians ancient and modern, in order to bring to light

* Commentaries on American Law, Vol. I. p. 463.

† The Hon. P. O. Thacher's Address before the Bar of Suffolk, p. 28.— It will be perceived, that, in writing this chapter, the author has freely availed himself of the materials contained in “The Study and Practice of the Law,” ascribed to the late Sir James Mackintosh. The high moral and professional character and profound acquirements of this celebrated jurist and statesman cannot fail to give a value to this chapter, which could not have been given to it by the author's unassisted labors.

their merits, and to vindicate them from the aspersions and reproach, which have sometimes been cast upon them.

Besides their general usefulness in the way of their profession, he finds many of them to have been shining examples of the domestic virtues, patrons of the arts, sciences, literature, and learned men, the friends of rational freedom, and the promoters of agriculture, commerce, and manufactures. He enumerates among them a great many who were eminently candid, acknowledging their mistakes without disguise; generous, aiding with their wealth every enterprise of good; patriotic, laboring in every way for the good of their country. Generals Warren and Mercer, continues he, were both physicians; they both left a profitable and extensive business, when they led their countrymen into the field, and fell in defence of the liberties of their country. He mentions the modern names of Boerhaave, Sydenham, Stahl, Haller, Hartley, Radcliff, Black, Hunter, Fothergill, &c.; — not only so, he calls up Hippocrates and Galen to do honor to the profession at this late day.

From this inductive review of medical history and biography, he concludes, 1. That the vices (defects) of physicians are fewer in number, and of less magnitude than their virtues. 2. That the profession of medicine favors the practice of all the religious, moral, and social duties. 3. That the aggregate mass of physical misery, that has existed in the world, owes more of its relief to physicians than to any other body of men.*

Among other defects imputed to physicians, and ascribed to the influence and tendency of the study and practice of medicine and surgery, want of sympathy for distress has been urged as often as any other. Physicians in general, have often been supposed to be almost destitute of feeling, and almost regardless of human suffering. It has, too, been frequently alleged by persons of the most respectable standing in society, and observation and experience have been confidently appealed to, to sustain the allegation, that the manifest *effect*, as well as *tendency*, of the study and practice of medicine and surgery is, to harden the temper and feelings, and even “to brutalize the entire character.” This may be presumed to be true of some part

* Introductory Lectures, pp. 120 – 140.

of the profession, — of those who habitually stifle, instead of cherishing sympathetic feeling; *and it is what every physician should anxiously guard against*; but there does not seem to be any good reason for imputing this defect to physicians generally. Familiar as they are, and must be, with scenes of affliction of every name, it is impossible for them to shed tears on every occasion when they meet with pain and distress. The deep and poignant sorrow felt by near relations in the afflictions of one another, it is impossible for any physician to feel; — nay, if he could feel in the same way and degree, such feeling would overwhelm him and unfit him for his duty. It is the highest duty of the physician to take a strong interest in whatever concerns the cure of his patient; and this strong interest will naturally show itself in a corresponding sympathy with his feelings and destiny, and with all those who feel a strong interest in him.

It has been very frequently said, that the study and practice of medicine tend to originate and nourish infidel feelings and sentiments. Dr. Rush seems to admit, that there may be some truth in this general impression; and he ascribes it to that neglect of public worship, in which many physicians live, occasioned, perhaps, by the excuse which they readily find in the nature of their employment, which does not permit them entirely to suspend their ordinary labors on Sunday, like other classes of men. This confirms the sentiment commonly entertained among Christians, that, without a strict observance of Sunday, the cause of religion will inevitably decline. Dr. Rush laments, that men whose education necessarily opens to them the wisdom and goodness of the Creator, and whose duties lead them constantly to behold his power over human life and all its comforts, should be so willing to forget him.

He reminds physicians of the importance of making themselves acquainted with the arguments on which Christianity is founded, and of the numerous and powerful motives which enforce a belief of it. He says further, “It is in places of public worship, that these arguments and motives are delivered to the most advantage; and it is by neglecting to hear them, that the natural propensity of the human heart to infidelity, is cherished and promoted.” At the same time he insists, that “this vice of the understanding,”

as he calls it, has no natural alliance with the practice of physic ; because to no secular profession does the Christian religion afford more aid, than to medicine. The business of physicians leads them daily into the abodes of pain and affliction. It obliges them frequently to witness the fears with which their patients leave the world, and the anguish of their surviving relatives. Here the resources of their art fail them, but the comfortable views of the Divine government, and of a future state unfolded in the Gospel, come in and more than supply their place. A pious observation, dropped from the lips of a physician in such circumstances of his patients, often does more good, than a long and, perhaps, ingenious discourse from another person, inasmuch as it falls upon the heart at the moment of its deepest depression from grief. *

Aside, therefore, from the temptation to neglect a suitable observance of Sunday, arising from the impossibility of suspending their professional labors entirely on that day, the influence of the study and practice of medicine does not seem to be unfavorable to sound religious feeling and sentiment. In truth, the history of medicine makes it manifest, that in every case of infidelity, it is the fault of the individual, and not the tendency of the profession. Many of the first physicians in ancient and modern times have been pious men. Hippocrates did homage to the gods of his country, and Galen vanquished atheism, for a time, in Rome, by proving the existence of a Creator from the curious structure of the human body. Cheselden, the celebrated English anatomist, always implored, in the presence of his pupils, the aid and blessing of Heaven upon his hand, whenever he took hold of an instrument to perform a surgical operation. Sydenham, the great luminary and reformer of medicine, was a religious man. Boerhaave spent an hour, every morning, in his closet, in reading the Scriptures, before he entered upon the duties of his profession. Dr. Haller has left behind him an eloquent defence of Christianity, in a series of letters to his daughter. Dr. Fothergill's long life was filled up with acts of good-will to men, and of gratitude and piety to God. Dr. Hartley, whose works

* Introductory Lectures, p. 121.

will perish only with time itself, was a pious Christian. Of these celebrated physicians, Dr. Rush remarks, that “the weight of their names alone, in favor of revelation, is sufficient to turn the scale against all the infidelity that has ever dishonored the science of medicine.” *

It often becomes the painful duty of the physician to satisfy himself on reasonable grounds, whether he ought to withhold, or make his patient acquainted with, his opinion of the probable issue of a malady manifesting mortal symptoms. “I own,” says Sir Henry Hallford, “I think it my first duty to protract his life by all practicable means, and to interpose myself between him and every thing which may possibly aggravate his danger. And, unless I shall have found him averse from doing what was necessary in aid of my remedies, from a want of a proper sense of his perilous situation, I forbear to step out of the bounds of my province, in order to offer any advice which is not necessary to promote his cure. At the same time, I think it indispensable to let *his friends* know the danger of his case, the instant I discover it. An arrangement of his worldly affairs, in which the comfort or unhappiness of those who are to come after him is involved, may be necessary ; and a suggestion of his danger, by which the accomplishment of this object is to be obtained, naturally induces a contemplation of his more important spiritual concerns, a careful review of his past life, and such sincere sorrow and contrition for what he has done amiss, as justifies our humble hope of his pardon and acceptance hereafter. If friends can do their good offices at a proper time, and under the suggestions of the physician, it is far better that they should undertake them than the medical adviser. They do so,” continues he, “*without destroying his hopes*, for the patient will still believe, that he has an appeal to his physician beyond their fears ; whereas, if the physician lay open his danger to him, however delicately he may do this, he runs a risk of appearing to pronounce a sentence of condemnation to death, against which there is no appeal, *no hope* ; and, *on that account*, what is most awful to think of, perhaps, the sick man’s repentance may be less available. But friends may be absent,

* Introductory Lectures, p. 129.

and no one near the patient in his extremity, of sufficient influence or pretension to inform him of his dangerous condition.

“And surely,” he further says, “it is lamentable to think, that any human being should leave the world unprepared to meet his Creator and Judge, with all his crimes unrepented of. Rather than so, I have departed from my strict professional duty, done that which I would have done by myself, and apprized my patient of the great change he was about to undergo. Of the great number to whom it has been my painful professional duty to have administered in the last hours of their lives, I have sometimes felt surprised, that so few have appeared reluctant to go to ‘the undiscovered country from whose bourne no traveller returns.’ I have seen those who have arrived at a fearless contemplation of the future, from faith in the doctrine which our religion teaches. Such men were not only calm and supported, but even cheerful in the hour of death; and I never quitted such a sick chamber without a wish that my last end might be like theirs.”*

The relation in which a physician stands to his patient, and to the families into which he is called, is highly *confidential* in many respects, and an obligation of the most sacred nature rests upon him, not to abuse this confidence. He is looked upon as a confidential adviser and friend, and, as such, is admitted at all hours into the bosom of the families he attends, and to their most private apartments. He often becomes acquainted with the personal infirmities and disabilities of his patients, which are of the most humiliating kind. In respect to the ladies of a family, he is often placed in a situation of the utmost delicacy. Domestic secrets and occurrences of great delicacy and importance may sometimes come to his knowledge, in the unrestrained and confidential intercourse which must and ought to subsist between the physician and his patients. He is *morally* unfit for his profession, if he is not keenly alive to the obligations of secrecy imposed on him by his being made the depositary of the confidence of the families into which he is admitted; and he grossly and inexcusably betrays his trust by the smallest disclosure of any thing of a delicate or private nature which comes to his knowledge in the way of his profession.

* Essays, &c., read at the Royal College of Physicians, 1832; p. 79.

Every profession and every employment is, and ought to be, exposed to full and free competition. Competition is the spring of every kind of excellence ; but there are some circumstances in the actual practice of medicine which tend to render rivalry among physicians more keen and bitter, than between the members of almost any other liberal profession or branch of business. The competition between lawyers for success is almost entirely in open court ; public opinion permits it, nay requires it to be keen, strenuous, and energetic ; but all mean and unworthy artifices, subjected as they must be to public observation, do not fail, whenever practised, to recoil on the head of him who ventures to resort to them. Not so, however, with physicians. They go continually from house to house, they spend much of their time in private intercourse with their patients and the families to which they pay their daily visits ; the chief scene of their labors is in private ; they are little exposed to public observation ; and therefore, the preventive and corrective power of public opinion cannot be brought to bear often or much upon them. They are constantly exposed to the temptation of sacrificing moral principle to the motive and prospect of obtaining wealth and honor by the sacrifice. Hence, as might be expected in a large body of men, the moral principles of too many physicians, so far as respects their *treatment of their brethren*, do not prove strong enough to withstand the temptation. This is one of the very cases noticed and condemned by Cicero, where the moral delinquency seems not to be very flagrant, and the prospect of advantage is very great.*

To undermine a successful competitor in the same city or neighbourhood, by evil surmises or secret misrepresentations, by publishing or artfully aggravating his mistakes, by depreciating the estimation in which he is held, or by ridiculing his person, character, and habits ; to endeavour to retain exclusive possession of the district in which one is employed, by crushing young physicians, who, at their outset in life, may attempt to establish themselves within its limits ; to harbour feelings of jealousy, envy, and hatred towards a fortunate competitor when he is called in by one's former patients, or towards one's former patients them-

* De Officiis, Lib. III. c. 20.

selves, in consequence of their exercising their unquestionable right of calling in another physician ; to triumph insultingly over other physicians to whom one is himself preferred ; to refuse, by reason of private pique, previous misunderstanding, or other personal motives, to meet in consultation with any physician for whose advice the patient or his friends may be anxious ; to oppose the admission of other physicians to a joint share with one's self in the superintendence of hospitals and other like institutions ; to censure unnecessarily the proceedings, and expose the defects, of one's brethren, when summoned to take charge of a case which has previously been in other hands ; to attempt to introduce to public confidence physicians of small qualifications, because they happen to be one's relatives or countrymen, or to have been educated at the same school or college with one's self ; to entertain absurd prejudices against any of one's brethren, in consequence of having an unfavorable opinion of the university from which they received their degrees, or because they have not been fortunate enough to receive a degree from any institution, when they give proof of actually possessing those attainments, of which an academical education is considered as the basis, and a degree as presumptive evidence ; — all these practices, and many more, are alleged to be extensively known among physicians, contrary to their mutual duty to each other, reproachful to their profession, and unworthy of the superior education and standing in society which they enjoy.

In one respect, the physician is invested with a weight of moral influence almost unknown to any other profession, which enables him to be useful to society. The effect of all vice, of whatever kind, is to impair health, destroy character, undermine life, and cause premature death. This is known and acknowledged by all in general terms. But on this subject, the opinion of physicians has *peculiar weight*. They impart the lessons of *actual experience*, and, in illustration of them, they can generally refer to facts within their own knowledge. And it must be acknowledged to their praise, that they have seldom, if ever, been wanting in the discharge of the high moral duty to society, which their superior knowledge and experience in this respect so well qualifies them to perform. When, for instance, in the

early stages of the temperance reformation, physicians were called upon to say, whether spirituous liquors were, in any case, beneficial to persons in health, even to the laboring classes of the community, they responded promptly and decidedly in the negative ; and this reformation, as far as it has advanced, has been accomplished, in no small measure, by the general, zealous, and persevering support which they have given it.

CHAPTER III.

MORAL INFLUENCE OF THE CLERGY ON SOCIETY, INCLUDING AN ESTIMATE OF THE CLERICAL CHARACTER.

THE chief points of morals peculiar to Christianity ; its bringing life and immortality to light, and thereby giving an effectual sanction to morals by furnishing assurances of the reality of a future existence ; its expansive benevolence, acknowledging only the limits of the earth as the rightful sphere of its influence ; its undertaking to regulate the prime sources of human action and character, the thoughts ; its disregard to mere profession, unaccompanied by active virtue ; and its general reforming, purifying, and elevating influence, have been reviewed and illustrated ; and even the difficult enterprise of portraying the moral character of the Saviour has been attempted, — with what success my readers much judge each for himself.* The lives and conversation of the clergy are the natural exemplification of the religion which they preach, “the bodying forth” to mankind the peculiar morals of Christianity. Whatever may be the spirit of its morals, it is natural to expect to see this exemplified in the clergy. “By their fruits we are to know” all men, especially the clergy.

Nor, when subjected to this reasonable test, will the Christian clergy, as a body of men, be found wanting. Unworthy members there are, and always have been ; but the lives and character of the great body of the clergy have not been unworthy of the

* See above, pp. 43 - 60.

religion which they preach. Indiscriminate censure, however, and indiscriminate praise are alike foreign to my habits and my principles ; and the fairest estimate of the moral character and beneficial influence of the clergy on society may be made, by reviewing their conduct in the light of history, and under several particulars.

1. Their labors, dangers, sufferings, and privations, in the original planting and building up of Christianity in every country in which its blessings are now enjoyed. The effectual establishment of Christianity in the world exhibits a scene of labors and trials, to which history presents no parallel. Frequent, earnest, and laborious preaching, constant conversing with persons upon religion, a withdrawing from the usual pleasures, engagements, and varieties of life, and an exclusive devotion to their one object, composed the habits of the Apostles and other early preachers of the Gospel. This kind of life, however, was not, in their view, privation, much less was it suffering ; it was their daily bread to do the will of their Master, and to finish the work to which he had appointed them. But the preaching of the new religion was attended with a difficulty and danger, which we shall in vain attempt to estimate without a minute acquaintance with the history of those times. When addressed to the Jews, it was a system adverse, not only to their confirmed opinions, but to those convictions upon which their hopes, their partialities, their pride, and their consolation were founded. They saw, in the success of Christianity, the overthrow of the Mosaic code, which was the ancient object of their reverence, and contained alike their religion, their government, and the basis of their national history ; the destruction of the ancient honors and privileges, which had been hitherto withheld from other nations, and which they had been accustomed to make their boast ; and the blasting of all their high hopes and expectations of a Messiah, who, according to a long-cherished persuasion, was to exalt their nation to a supremacy over all the nations of the earth.

Nor, when the early preachers of Christianity turned themselves from the Jews to the heathen public, did they meet with prejudices less determined, labors less arduous, dangers less terrific, or sufferings less appalling. The religion which they

preached was *exclusive in its claims*; it held no compromise with any other religion; but denied, without fear and without reserve, the truth of every article of the heathen mythology, and the existence of every object of heathen worship. If it prevailed, it was to prevail by the overthrow of every statue, altar, and temple on earth. It pronounced all gods to be false, and all worship to be vain, but its own.

The danger, too, of the Christian preachers proceeded not merely from solemn acts and public resolutions of the State, but from sudden bursts of violence at particular places, from the license of the populace, the rashness of some magistrates, and the negligence of others; from the influence and instigation of interested adversaries, and, in general, from the violence and excitement which a mission so novel and extraordinary could not fail of producing. They were a set of friendless, unprotected travellers, telling men, wherever they came, that the religion of their ancestors, the religion in which they had been brought up, the religion of the State and of the magistrate, the rites which they frequented, the pomp which they admired, were, throughout, a system of folly and delusion. One of their number has described the kind of life which they led, and the treatment with which they were accustomed to meet, both from the Jews and the heathen. "Of the Jews," says he, "five times received I forty stripes save one. Thrice was I beaten with rods, once was I stoned, thrice I suffered shipwreck, a night and a day have I been in the deep; — in journeyings often, in perils of waters, in perils of robbers, in perils by mine own countrymen, in perils by the heathen, in perils in the city, in perils in the wilderness, in perils in the sea, in perils among false brethren; in weariness and painfulness, in watchings often, in hunger and thirst, in fastings often, in cold and nakedness." * This statement of St. Paul was doubtless true of the other preachers as well as of himself, and is confirmed by all the original documents which exist on the subject, both heathen and Christian. †

These sufferings, moreover, it must be remembered, were

* 2 Corinth. xi. 24 - 27.

† Acts v. 17, 18; vii. 59; xxi. 30 - 34, &c. See, also, Tacitus, Suetonius, Pliny, &c. — Paley's Evidences of Christianity, pp. 10 - 17.

only preliminary; — the sufferings of the Christian preachers were infinitely more cruel and afflictive, as well as more general, during the celebrated ten persecutions under the Roman emperors, in which those powerful despots sought, by all the means at their command, to eradicate every vestige of Christianity from the earth. It was thus, chiefly and preëminently by the labors, privations, and sufferings of the clergy, that the cause of Christianity, aided from on high, gradually made its way, until it was effectually established and recognised as the religion of the empire.

In like manner, in whatever country Christianity has been made known, its establishment has been, for the most part, accomplished by the labors and sacrifices of the clergy. “The missionaries who first introduced Christianity into Great Britain,” says Southey, “were the prime spirits of the age, steady in purpose, wise in contrivance, and trained in the most perfect school of discipline. They were men of the loftiest minds, and ennobled by the highest and holiest motives; their sole object in life was to increase the number of the blessed, and extend the kingdom of their Saviour, by communicating to their fellow-creatures the appointed means of salvation; and, elevated as they were above all worldly hopes and fears, they were ready to lay down their lives in the performance of this duty, sure, by that sacrifice, of obtaining crowns in heaven, and altars upon earth, as their reward.”* Still further illustrations of this position might be drawn from many sources; — the history of our own country is rich in them. Christianity came into this country as a part of its original colonization, and Christian preachers, in almost every instance, made a part of the original colonists. New settlements on a distant and unknown shore, must, in the best circumstances, be subjected to many and great hardships; — of these they cheerfully underwent their full share, and their disinterestedness and usefulness are fully attested by the early documents of our history. To refer to a single instance among multitudes. Besides exercising his clerical functions with singular zeal and success, the clergyman who accompanied the first colonists to Virginia, was twice instrumental in saving the colony from destruction;

* Book of the Church, Vol. I. p. 56.

once by healing dissensions between its rival governors; and again, by rendering an Indian massacre partial in its effects, which must, but for him, have involved every man, woman, and child, indiscriminately. Nothing but my very confined limits, prevents me from enlarging on this part of the subject.* Christianity is the basis of all our most valuable institutions, moral, political, and social; it gives tone, temper, and character to them all; and its introduction into every country which enjoys its manifold blessings, is preëminently the work of the Christian clergy.

2. Their labors and success in promoting education, literature, and science, in establishing institutions of learning, and other institutions which have meliorated the condition of mankind.

Our materials for the history of education are scanty, and no historian has yet employed himself much in collecting such as exist. In Greece, not more than a tenth part of the inhabitants were freemen, † and, of these, only a small part seem to have received any literary education. The very phrase used by Tacitus (*literarum secreta*) to express *literary* education, shows that it was generally looked upon as an abstruse art, shrouded in mystery, not to be attained and understood by the common people. ‡ In truth, the plan of educating the common people of any country does not seem to have occurred to any one as possible, until Christianity was established and had attained considerable strength; and the credit of originating such a plan, and of reducing it to practice, is due to the Christian clergy. Instruction was very early given at the monasteries and the churches, more especially at the cathedrals. In England, King Henry the Sixth, by petition of many of the clergy, established grammar schools in various parishes, and this number was greatly enlarged a few years after, on the recommendation of the Archbishop of Canterbury. The great foundations of Winchester (A. D. 1382), and of St. Paul's School (A. D. 1508), were established by clergymen; and those of Eton (A. D. 1446), Christ Church (A. D. 1553), and Westminster (A. D. 1559), by royal munificence; but they

* Hawks's History of the Protestant Episcopal Church in Virginia, pp. 42, 43.

† Kent's Commentaries on American Law, Vol. I. p. 218.

‡ De Moribus Germanorum, c. 19.

seem to have been designed for *the middle and higher orders*, and to have given no direct aid to the humblest class of society. It is well known, too, that very many of the colleges at Oxford and Cambridge were founded by clergymen.

After the Reformation, the clergyman of every parish (in England), in the capacity of a catechist, was required to be the instructor of the poor and laboring classes in all things necessary for the great purposes of life. According to primitive usage, too, the sponsors of children were accustomed to give considerable aid in this way. All curates were to instruct and examine children on Sundays and other holidays, publicly in the church, and the afternoon seems to have been devoted to this object.* All parents and masters were to bring their children, servants, and apprentices, to be instructed by the clergyman at the church. This plan, though less effectual than had been hoped, still did much good ; but it was not until the year 1698, that a school for the *laboring classes* was founded in England. This was a charity school, and was opened at Westminster, in the year just named. The time, however, was now come, when “ a constellation of noble designs ” brightened the prospects of the religious world ; and the forming of societies for advancing religion, for the reformation of morals, for promoting Christian knowledge, for propagating the Gospel in “ Foreign Parts,” for establishing parochial libraries, and for the increase of the livings of the poorer clergy, all about the year 1700, gave a lustre to a few short years, the beneficial influence of which is still felt over the Christian world. The names of the Hon. Robert Boyle, the Rev. Dr. Thomas Bray, Robert Nelson, Dean Humphrey Prideaux, and Bishop White Kennet, are intimately connected with these noble undertakings.

Equally disinterested, persevering, and successful, have been the efforts of the clergy in establishing schools, colleges, and universities in this country, from its first settlement. In fact, much the larger number of our colleges and universities have been established directly or indirectly by the clergy, their chief offices have generally been filled by them, and the best conducted and

* Hawks's History of the Protestant Episcopal Church, in Virginia, p. 26.

most flourishing of them, have been entirely or substantially under clerical direction and influence.*

3. Besides the arduous labors and sufferings of the clergy in planting and building up Christianity, in every country which has enjoyed its manifold blessings, and their zeal, perseverance, and success in raising up institutions of education and charity of every kind, the *general* influence of the parochial clergy on manners, morals, and whatever else is ranked under the comprehensive term *civilization*, has been most effective and most salutary. Scattered over every country where Christianity has prevailed, living on intimate and confidential terms of intercourse with their parishioners of every rank and condition, the Christian clergy have been, not an aristocracy of pride, oppression, licentiousness, hereditary rank, and overgrown wealth ;—such as has afflicted many countries permanently, and almost all countries at a certain period of their history; but (in the best sense of the term) an aristocracy of talents, of learning, of virtue, and of piety, and the chief and honored instruments of diffusing these blessings around them, and among all ranks and orders of people. This claim, in behalf of the general good influence of the clergy on society, is not advanced on light grounds ; it may be sustained by proof the most unexceptionable ; I content myself with selecting two authorities.

“ A benefit higher and more universal,” says Dr. Arnold, “ than any of these (to wit, schools, libraries, hospitals, &c.), is, to secure for every parish the greatest blessing of human society, — that is, the constant residence of one individual, who has no other business than to do good of every kind to every person. Men in general, have their own profession, or trade, to follow ; and, although they are useful to society, yet it is but an indirect benefit, not intended for society in the first place, but for themselves ; so that no one feels obliged to them for their services, because there is nothing in them which partakes of the nature of a kindness. Those again, who possess an independent fortune, are not only raised too high to be in perfect sympathy with the majority of their neighbours, but are exposed to moral temptations

* Pitkin's History of the United States, Vol. I. p. 153. — Spirit of the English Religious Magazines, for the 17th of January, 1835.

of a peculiar kind, which often render them an inadequate example to others. Whereas, it is impossible to conceive a man placed so favorably for attaining to the highest perfection of our nature, as a parochial minister. Apart from all personal and particular interests, accustomed by his education and habits to take the purest and highest views of human life, and bound by his daily business to cherish and sweeten these by the charities of the kindest social intercourse, — in delicacy and liberality of feeling on a level with the highest, but, in rank and fortune, standing in a position high enough to insure respect, yet not so high as to forbid sympathy ; with none of the harshness of legal authority, yet with a moral influence such as no legal authority could give, — ready to advise when advice is called for, but yet more useful by the indirect counsel continually afforded by his conduct, his knowledge, his temper, and his manners ; — he stands amidst the favor and selfishness of the world, as one whom the tainted atmosphere cannot harm, although he is for ever walking about in it, to abate its malignant power over its victims.” *

Again, the Edinburgh Review, which has never, I believe, been complained of for being too favorable to the clergy, says,

“ It is no ordinary national benefit, to have a number of well-educated men dispersed over every part of the kingdom, whose especial business it is to keep up and enforce the knowledge of those most exalted truths, which relate to the duties of man, and to his ultimate destiny ; and who, besides, have a sort of general commission to promote the good of those among whom they are settled, in every possible manner, to relieve sickness and poverty, to comfort affliction, to counsel ignorance, to compose quarrels, to soften all uncharitable feelings, and to reprove and discountenance vice. This, we say, is the *theory* of the business of a parochial clergy. That the *practice* should always come up to it, it would be utter folly to assert or to expect ; but, such is the innate excellence of Christianity, that even now, amidst all the imperfections of the existing establishment, its salutary effects are clearly felt.” †

* Quoted in Walsh's National Gazette, of the 23d of March, 1833.

† Quoted by Dr. C. E. Gadsden, Life of Dehon, p. 152.

Two defects have been so generally imputed to the clergy, that I cannot well omit adverting to them.

1. One of these defects is professional narrowness of mind. It must be remembered, however, that this is a defect, common, in a greater or less degree, to all the professions and employments of life. The opinions and sentiments of all men run very much, and sometimes exclusively, in the channel of their own habitual pursuits. This seems to be almost inevitable, where attention, sufficiently patient and earnest to insure success, is given to any one profession or pursuit. And it may well be doubted, whether this is more emphatically true of the clergy, than of men of the other learned and liberal professions.

2. Again, the clergy have been extensively accused of passing by the facts and plainer doctrines of Christianity, of making and pursuing speculative, wire-drawn, and useless distinctions, and of ascribing a degree of importance to them, to which they can have scarcely the shadow of a claim. The reproaches of Gibbon against the clergy, in this particular, are well known. But while it may be admitted, that the clergy have sometimes speculated and refined injudiciously on the doctrines of Christianity, and that they ought always to be distinctly on their guard against falling into errors of this kind; still it must be remembered, that it would be in vain for them to satisfy Mr. Gibbon and other men like him, unless they would consent to abandon every doctrine and every duty, peculiar to the religion which they preach. They cannot expect to satisfy every one, as long as they hold fast the integrity of their profession. *

* Mr. Wheaton, in his "Elements of International Law," just published, says, "The stern spirit of the Stoic philosophy was breathed into the Roman law, and contributed to form the character of the most highly gifted, virtuous, and accomplished aristocracy the world ever saw." p. 21. I concur with this learned author in thinking very highly of the Roman patricians; but assuredly, in claiming for them the greatest virtue, the rarest accomplishments, and other the highest gifts "the world ever saw," he has forgotten the just claims of the Christian clergy.

CHAPTER IV.

MORAL INFLUENCE AND DUTIES OF MEN OF LETTERS.

MEN of letters, that is, men whose chief pursuit and profession is literature and the sciences, including the presidents and professors of our universities and colleges, and other instructors; authors of every description, editors of reviews and other periodical works, are considerable in point of numbers, and still more so in respect to the influence which they exercise on society. M. Arago, the celebrated French astronomer, was right in saying, at the great dinner of the literati at Edinburgh in 1834, — “It is the men of study and thought, who in the long run govern the world. The grandest moral truths spring from their discoveries; it is their writings which render these truths fruitful, which popularize them, which make them penetrate the minds of the people.”* It is this class of men, who chiefly employ, and consequently control and direct, the press, — the mightiest instrument of evil or of good ever known, and the power of which is continually increasing. And in proportion to the power which they wield, is the moral obligation which rests upon them, to use it for beneficial purposes, and for such purposes only. Like all other blessings, too, with which Providence has favored us, the evil, which may be done by its perversion and abuse, is in proportion to the good, which it may accomplish when used with skill, integrity, and wisdom. Men of letters are chiefly responsible to God, to their country, to their own consciences and to mankind, for the good or evil use which is made of this mighty instrument.

In general terms, the duties of men of letters, in respect to their writings, of whatever kind, may be stated thus; — they are to avoid the perversion and abuse of the press, while they are to use it for all the beneficial purposes which it is capable of ac-

* National Gazette, 8th of November, 1834.

completing. The duty of that portion of men of letters, who are devoted to the instruction of youth, is important ; the duty of all of them in respect to the intercourse which they hold with general society is important ; but their duty in respect to *the use which they make of the press*, is so much *more* important, that I may well be justified in insisting on it somewhat particularly, and to the neglect of noticing any other branch of their duty.

1. A distinction must be taken between the freedom of the press and its licentiousness ; that is, the freedom of the press must be restrained within just limits.

The freedom of the press is often misunderstood. It means *the right to publish without previous permission, not the right to publish without responsibility*. If it meant the latter, the liberty of the press would be the greatest curse, which could be inflicted on a nation. Where a man has a right to publish what he pleases, but is responsible to the law for the nature and tendency of his publication, the press is free. If he has the right to publish without such responsibility the press is licentious. Our National and State constitutions of government guard the freedom of the press with the most jealous care ; but still no man has a right to make a licentious use of the press on this ground, any more than he has a right to use arms for violence and bloodshed, because the same constitutions guaranty to him the right to keep and carry them for his defence. Accordingly, our courts have uniformly decided, that every person may, without previous supervision, print and publish what he pleases, on his own responsibility ; but they hold him to be answerable for the abuse of this liberty, as for any other voluntary act ; and that this responsibility necessarily arises from the nature of the social relations. By the liberty of the press, as their decisions teach us, is intended the right to print, and publish among the citizens, the truth respecting men and things, on all fitting occasions, where it will be useful to be known ; and therefore, it ought not to be restrained, because such right is essential to freedom.* Every man may publish what he pleases, respecting government,

* The Hon. P. O. Thacher's opinion, in *Commonwealth v. Whitmarsh*, July Term, 1836.

magistracy, or individuals, with good motives and for justifiable ends ; and the nature of his motives and ends must, on trial, be submitted to a jury. *

Nor is there any just reason for the complaint, often made by men of ardent temperament and heated by passion, that the press is laid under the restraint of truth and decorum. This restraint, in the case of the press, is one of a numerous class of cases, in which the good seems to be inseparable from the restraint imposed. Perhaps no good does exist or can exist unless guarded by restraint. The best things that we enjoy, the noblest qualities that we possess, become vicious by excess. Mercy degenerates into weakness, generosity into waste, economy into penury, justice into cruelty, ambition into crime. The principle of restraint has the sanction of Almighty wisdom itself, for it is impressed on every part of the physical as well as the moral world. The planets are kept in their orbits by the restraint of attraction ; but for this law, the whole system would run into inextricable confusion and ruin. It does not detract from the simplicity, the beauty, the grandeur of this system, to say, that one of the laws, which uphold it, is the law of restraint. It is to the restrained position of the earth, that we owe the revolution of the seasons, with all their appropriate and successive enjoyments ; and to its restrained revolution towards the sun, that we owe the relief of day and night, the alternate seasons of labor and repose. What hinders the vine from wasting its juices in wild and fruitless luxuriance, but the restraint of the pruning-hook, and the discipline of the training hand ? What hinders the product of the vine from becoming a universal curse, but the restraint of temperance ? What gives to civilized society its finest charm, but the restraints of decorum, of mutual respect, of honor, confidence, kindness, hospitality ? Wherever we look, above us, around us, below us, we see, that the great conservative principle is restraint, that same restraint which holds human society itself together. It does not, then, detract from the value of the liberty of the press, to say, that, like all other human blessings, it requires the purifying and conservative principle of restraint. †

* Kent's Commentaries on American Law, Vol. II. pp. 12 - 22.

† See Mr. Wirt's Speech at the trial of Judge Peck in the U. S. Senate, p. 481.

2. The press is abused, when it is employed to circulate slander, misrepresentation, calumny, and falsehood, in any of its forms, modifications, or degrees. These offences are more or less flagrant, according to their degree and their accompanying circumstances ; but they all impair, and their tendency is to destroy, the usefulness of the press. The great object of the press is, the dissemination of truth ; truth in history, in morals, in politics, in literature, in science, in philosophy, and in religion ; and the glory of the press consists in its love of truth, its impartiality, its candor, its fairness, its purity, its sense of justice and rectitude, the manliness of its spirit, the healthfulness of its moral tone, the useful knowledge it conveys, and the value of the productions which it brings forth.

The conductors of the daily periodical press, have a duty to perform, of special importance, difficulty, and delicacy. Newspapers are the principal channel by which the sentiments and wants of the community are made known ; — they present a living and moving picture of the business, the habits, the customs, the amusements, and even the vices of the community. They are, too, the chief arena of political party warfare. In them, party politicians and their retainers assail each other's conduct, motives, and intentions ; and in them is all the animation and excitement, and much of the passion and violence, of actual combat. Amidst the contest for party ascendancy, and the strife and bitterness of party controversy, the temptation of the editor is very strong, himself to abandon, and to permit his correspondents to abandon, a reliance on truth, clear statement, and manly argument, and to resort for success to the empoisoned weapons of slander, calumny, misrepresentation, and even falsehood. Our newspapers, moreover, by way of ministering to the most corrupt taste, and to the vilest passions, too often contain offensive and disgusting details of vice and crime, enough to nauseate every one, and to demoralize the entire youth of the country.*

3. Men of letters criminally abuse their power, when they

* The offensive details of the trial of the late Queen of England (consort of George IV.) are a specimen of what is here alluded to, and must be within the recollection of every person of mature age in this country. Our newspapers were flooded with them.

make their writings the vehicle of immoral sentiments, or employ them to rouse and influence the licentious passions. Examples of this abuse might be cited from our own literature ; but, in imitation of the great Roman moralist,* I prefer, when any thing of an evil nature and tendency is to be exposed, to bring to my aid foreign rather than domestic illustrations. Sir Walter Scott says of the French writers, who aided in preparing the way for the French revolution by undermining the morals of society, “ There was a strain of voluptuous and seducing immorality which pervaded not only the lighter and gayer compositions of the French, but tinged the writings of those who called the world to admire them as poets of the highest mood, or to listen as to philosophers of the most lofty pretensions. Voltaire, Rousseau, Diderot, Montesquieu, — were so guilty in this particular, that the young and virtuous must either altogether abstain from works, the which are everywhere the topic of ordinary discussion and admiration, or must peruse much that is hurtful to delicacy, and dangerous to morals, in the formation of their future character. The latter alternative was universally adopted ; for the curious will read as the thirsty will drink, though the cup and the page be polluted.” † Many of the English comedies, and of the English and French novels and romances, are extremely immoral in their tone and tendency. Lord Kames says of Congreve, “ If his comedies did not rack him with remorse in his last moments, he must have been lost to all sense of virtue.” ‡

4. The press is still more criminally abused, when it is turned to the disparagement, misrepresentation, and vilification of the Christian religion.

As a part of the freedom of the press, the truth and value of Christianity, in respect to its doctrines, morals, tendency, general character, and whatever else pertains to it, is open to fair and decorous discussion ; and he would miserably defend his religion, who should wish it to shrink from any the most severe examination of this kind. It is the highest interest of Christianity to invite examination, and not to repel it. It has suffered

* Cicero de Officiis, Lib. II. c. 8. † Life of Napoleon Bonaparte, Vol. I. p. 35.
‡ Elements of Criticism, Vol. I. p. 59. — Blair’s Lectures, No. XLVII.

much from neglect and indifference, but never from any severity of inquiry or rigor of investigation. But no cause can sustain itself without *a hearing*, and amidst overwhelming torrents of misrepresentation, perversion, vilification, and abuse. And here, again, I cannot so pertinently and forcibly illustrate the criminal abuse of the press when turned against Christianity, as by quoting Sir Walter Scott's statement of the virulence with which the French infidel writers assailed Christianity just previous to the outbreaking of the revolution. "This work," says he (that is, assailing Christianity), "the philosophers, as they termed themselves, carried on with such an unlimited and eager zeal, as plainly to show, that infidelity, as well as divinity, hath its fanaticism. An evenenomed fury against religion and all its doctrines; a promptitude to avail themselves of every circumstance by which Christianity could be misrepresented; an ingenuity in mixing up their opinions in works, which seemed the least fitting to involve such discussions; above all, a pertinacity in slandering, ridiculing, and vilifying all who ventured to oppose their principles, distinguished the correspondents in this celebrated conspiracy against a religion, which, however it may be defaced by human inventions, breathes only that peace on earth, and good-will to the children of men, which was proclaimed by Heaven at its divine origin."*

No one work in the English language has, probably, overthrown or shaken the faith of so many, as Gibbon's "History of the Decline and Fall of the Roman Empire." The magnitude of the work; the long period of time which it embraces; the vast variety and richness of the materials; the consummate skill with which these are wrought into the narrative; the apparent candor and impartiality of the author; the dignified march of his high-wrought and polished style; all conspire to lull suspicion and to open the heart and understanding to his doubts, sneers, surmises, and insinuations, against the Christian religion. The reader unsuspectingly inquires of himself, how can an author be prejudiced and dishonest, who *seems* so fair and candid? How can he be wrong, whose statements seem, at every page, to be sustained by

* Life of Napoleon Bonaparte, Vol. I. p. 36.

such a host of choice authorities? Yet who does not know, how easily the mask of superior candor and impartiality is assumed; and of all who peruse his history, who incurs the labor of examining one in a thousand of the manifold authorities with which his pages are crowded? His learning and judgment are not to be envied, who can, at this day, put any confidence in his representations of Christianity; and public confidence appears to have become extensively shaken in regard to the dependence which may be placed on many other parts of his History. M. Guizot, the celebrated French political writer and historian, and one of the late ministry, remarks, that, “the more profound his historical researches have been, the more inaccuracies he has been enabled to detect in Gibbon.” *

It was urged as matter of censure against men of letters (*philosophi*), as long since as the time of Plato and Cicero, that, absorbed in contemplation, and devoted too exclusively to their own pursuits, they were accustomed to neglect that class of their duties which pertains to society and their country.† This is unquestionably the tendency of the profession of letters; and there continues to be, even at this day, ground enough for the censure in this respect to put literary men on their guard. Cicero, more than once, remonstrates against the habit, into which literary men are apt to fall, of withdrawing themselves from society, and secluding themselves within their peculiar sphere. He well insists, that the use of solitary study and contemplation is, to fit men more completely for their active duties. Every man has duties of an active and public, as well as of a private and personal nature to perform; and he cannot rightfully neglect the former, any more than the latter. Not only professed men of letters, but men of cultivated understandings universally, should never forget, that knowledge of every kind is like wealth, — the value of it consists in the use that is made of it. And how is the intellectual miser, who locks up his knowledge, more respectable than the man who locks up his money, and thus renders it useless, by withdrawing it from circulation, and refusing to convert it to any

* Quoted in Walsh's National Gazette, for the 27th of August, 1833.

† Cicero de Officiis, Lib. I. c. 9.

useful purpose. The duty particularly rests on men of letters and other men of cultivated minds, as has been said before, to keep public opinion regulated and enlightened through the medium of the press. Besides, considerable intercourse with men of various classes and professions in society, in business transactions, and even in the participation of public offices of honor, trust, and profit, reacts favorably upon men of letters, and renders them better fitted for usefulness even within their own sphere. Unless they mingle in society, and in the transaction of business, and participate in duties and offices of a public nature, they are very apt to see men and things too much in the abstract, and by the imperfect light of theory, unassisted by experience. Their opinions and sentiments require to be corrected by practice, and by an actual acquaintance with men and things.

If my limits permitted, I might advert to, and enlarge on, the duty resting upon men of letters, to supply in all the various departments of literature, the materials of reading, of the most appropriate kind, and in the utmost abundance. To this end, history, civil, political, ecclesiastical, military, diplomatic, and literary, opens her treasures ; poetry offers her vivid and sublime creations ; religion, her holy aspirations ; fancy, her beautiful pictures ; imagination, its exquisite combinations ; taste, its cultivated decisions ; philosophy, its profound speculations ; reason, its well-matured conclusions ; and fiction, its resources, so rich and exhaustless, as to have been used by Lord Bacon as one of the natural and most striking proofs of the immortal destination of mankind. All this seems to be the duty of men of letters ; for, as Sir Walter Scott well says, “ the curious will read as the thirsty will drink, whether the cup or the page be clean or polluted.”

CHAPTER V.

MORAL TENDENCY AND INFLUENCE OF AGRICULTURE AS A PROFESSION.

“THE antiquity of agriculture,” says the poet Cowley, “is certainly not to be contested by any other. The three first men in the world were, a gardener, a ploughman, and a grazier ; and, if any man object, that one of these was a murderer, I desire he would consider, that, as soon as he was so, he quitted our profession and turned artisan. We were all born to this art, and taught by nature to nourish our bodies by the same earth out of which we were made, and to which we must return and pay at last for our subsistence.” Again, he says, “I never had any other desire so strong and so like to covetousness, as that one which I have had always, that I might be master at last of a small house and a large garden.” *

This is a warm eulogium by the poet, but the ancient writers are still more enthusiastic in their praises of agriculture. Their admiration of its employments and enjoyments seems to know no limits. Hesiod instructed his countrymen on this subject, and clothed his instructions in the attractive garb of poetry.† Xenophon introduces Socrates, discussing the merits of agriculture, and claiming for it a preëminence over all other employments ; and he has thrown around it the interest which he knew so well how to give to every subject which he touched.‡ Among the Romans, still higher dignity seems to have been claimed for it than among the Greeks. Horace has celebrated its praises in some of the most finished of his lyrics ; § and Virgil has devoted to it the most highly wrought and perfect of all his works, — his Georgics. Cicero remarks, that the pleas-

* Quoted by Dr. Francis, in his Address before the New York Horticultural Society, 1829 ; p. 8.

† Opera et Dies, passim.

‡ Economicus, passim.

§ Epod. II.

ures of agriculture, unlike all others, are not diminished by extreme old age ; and he insists, that this is the kind of life most of all befitting the dignity of a wise man.* Cyrus, the wise king of Persia, was accustomed to find relief from the more weighty cares of government in the pleasures of agriculture ; and to this day, the Emperor of China, on a particular day, every year, in the midst of his court, puts his hand to the plough, and plants a small piece of land, with a view to confer honor and dignity on the employment. † Cincinnatus was called from his farm, to assume the reins of government ; and we must never forget, that Washington was a substantial Virginia planter, when he was made Commander-in-chief of the armies of his country.

The lands possessed by any nation are the original property or capital stock, from which the inhabitants are supplied, not only with the necessaries, but with the comforts of life ; and the improvement of the national territory is the best proof of national prosperity. Agriculture, then, is of the first importance to mankind ; their welfare depends upon their receiving a regular and sufficient supply of the productions cultivated by the husbandman, and, therefore, to use an expression of the celebrated Sully, “ Agriculture may be regarded as the breasts, from which the State derives its support and nourishment.” Writers on the law of nations insist, that the cultivation of the earth is a natural duty of man. ‡ Wherever this art has been well understood, and subsistence, of course, has been secured to mankind, without the necessity of personal labor from all, the mind of man has expanded, and the arts, sciences, literature, morals, religion, and whatever else is most valuable have flourished. The cultivation of the soil, therefore, is both the most natural occupation of man, and the right arm of the commonwealth.

The active exercise in the open air, required by his employment, tends to give the agriculturist confirmed health, habitual cheerfulness, and length of days ; — the stability of his property, the regular returns of his harvests, and the security, tranquillity,

* De Senectute, c. 15.

† Xenophon, *Oeconomicus*. — Cicero de Senectute, c. 17. — Vattel, *Law of Nations*, Book I. chap. 7.

‡ Vattel, *Book I.* chap. 7, sect. 81.

and abundance in which he lives, give him much leisure, and, along with it, the virtues of firmness, consistency, hospitality, and generosity, — the general independence of his circumstances, placing him above any temptation of concealment or disguise, and his reliance on Providence for seed-time and harvest, setting him above the necessity of consulting or deferring much to others, give him independence of mind, energy and frankness of expression, manliness of tone, dignity of manners, and self-respect. Such is the combination of qualities, which may be looked for in the planter and independent farmer, so far as this character is formed under the influence of the pursuit.

The standard of this agricultural character, as it may be called, will, it is true, be lower or higher according to incidental circumstances ; such, for instance, as the kind of labor which is chiefly employed ; and for this reason, a difference may be expected between the agricultural character of the northern and southern United States. The advantage, in this respect, has been claimed for the latter, on plausible, if not on convincing grounds. It has been said, “ The general occupation ” (of the southern and southwestern States) “ is and must be agriculture ; and in it, we shall be able to practise a less exact economy, than is used where the laborer’s compensation depends on his care and diligence. The planter who disposes of his crop in the gross, will have less of the spirit of trade, than the farmer, whose daily occupation is one of traffic. We find the fact to correspond with the inference. But this may not be without its compensation. A circumstance in which the great nations of antiquity are said to have mainly differed from those of modern times, is, that the people of the former lived less for themselves and more for the public and the State. The latter, in consequence of the commercial spirit, live more for themselves, for their domestic concerns, and the acquisition of wealth. Resembling the ancients in our institutions, we should resemble them in their public spirit. Where every citizen is raised to the rank of patrician (unless he be degraded from it by his own qualities), he should be more anxious to do honor to his rank by his personal character, and feel more interest in the prosperity, and more pride in the fame, of the commonwealth. He should know, that, however laudable and necessary may be

the proper pursuit of wealth, it is not the highest, much less the exclusive pursuit. To elevate the moral and intellectual character of himself, of his fellow-citizens, of his country, — these are the first and highest objects. Admirable as the morality of Franklin is, for its own purposes, a higher and more generous morality is requisite for slave-holders.”*

CHAPTER VI.

MORAL TENDENCY AND INFLUENCE OF COMMERCE AND MERCHANDISE AS A PROFESSION.

ON our merchants, more than on any other class of our citizens, the reputation of our country for probity and honor immediately depends. The effects of the conduct of others are chiefly confined within our own limits; and the good or evil they may do, is seldom felt or known beyond them. The merchant, on the contrary, in the prosecution of his business, touches every portion of the earth, and comes in contact with the people of all nations. Whether our statesmen are wise and patriotic; our legislators enlightened and eloquent; our divines accomplished and pious; our lawyers and physicians skilful, learned, and faithful; our mechanics, ingenious and industrious, are domestic concerns, questions of opinion or prejudice, about which strangers may differ with us, without any imputation upon us as a moral and just people; — but whether our merchants are honest; whether they are upright and conscientious; whether it is safe or dangerous to deal with them, are questions of fact, in which foreigners have a close and daily interest; are questions, too, not of theoretical speculation, but to be decided by the evidence of experience, by the actual transactions of business, not to be misunderstood by any capacity, nor concealed from the dullest comprehension.

The American merchant, then, should never forget, that he holds the character of his country, as well as his own, as a sacred

* Judge Harper's Oration before the South Carolina Society for the Advancement of Learning, December, 1835; p. 13.

trust ; and that he betrays both, when he enters into the crooked paths of dissimulation and artifice, or the still more devious ways of dishonesty and fraud. Strangers can know us only by the individuals they deal with, whom, in the spirit and usage of trade, they will take as specimens and samples of the whole nation. If they find their confidence abused, the reproach is visited, not only on the fraudulent merchant, but on his nation, and we are all condemned for his iniquitous cupidity. Every man, therefore, has an interest in the commercial character of his country, and merchants ought to consider themselves as the men by whom the intercourse of the human family, however scattered and remote, is kept up ; as the instruments of civilization and intellectual improvement ; as employed to distribute the comforts and luxuries of life over the whole surface of the globe. By them, the entire race of man, of every variety of complexion and character, and wheresoever they may inhabit, are brought together, and taught to know each other, and to aid each other. They are the peace-makers of the world ; for they show it to be the interest and happiness of all to remain at peace ; and they demonstrate, that it is easier to obtain the good things we may desire by commerce, than by conquest ; by exchange, than by arms. They soften national asperities, and remove unjust prejudices. Such high functions require corresponding qualifications to perform them ; and those who do perform them faithfully are among the noblest benefactors of mankind.

The life of a merchant, however, is necessarily a life of peril. He can scarcely move without danger. He is subject on all sides to disappointments, to fluctuations in prices and in the current of business, which sometimes leave him stranded on an unknown bar, and sometimes sweep him helpless into the ocean. These vicissitudes depend on causes which no man can control ; and are often so sudden, that no calculation could anticipate, or skill avoid them. To risk much, to be exposed to hazard, belongs to the vocation of a merchant ; his usefulness and success depend, in a great measure, on his enterprise. He must have the courage to explore new regions of commerce, and to encounter the difficulties of untried experiments. To be unfortunate in such pursuits is no more disgraceful to an upright merchant than

to fall on the field of battle is dishonorable to the soldier, or defeat to a general, who has done all that valor and skill could achieve to obtain the victory. Bankruptcy, therefore, is often the consequence of inevitable misfortune, and is no disgrace, if met with fidelity and honor.

A writer, who ought to be well acquainted with the subject,* more than intimates, that the character of an American merchant is not highly respected abroad ; that it is looked upon with distrust ; and that it has been severely reproached. And he seems to write under the conviction, that our merchants have given too much ground for this want of respect, distrust, and reproach, on the part of foreigners. And, while he admits, that our merchants have improved and are improving in this respect, he still complains of a looseness of principle and practice in contracting and paying debts among them, “ very rare, if not unknown among men of the same standing in trade, in Europe, at least on the continent.” He complains, that the ambition to do a *great business* is universal and devouring in this country ; that the disposition to contract debts has become eager and reckless ; that the obligation to pay them is but faintly felt, and that the failure to pay them hardly produces a sensation of shame in the defaulter, or any resentment or neglect towards him on the part of his friends or the public. He says, our commercial community seem to make a common cause with every delinquent trader, and to treat the most criminal extravagance, the most thoughtless indiscretion, the most daring and desperate speculations, with the lenity due to accident and misfortune. When the catastrophe which, sooner or later, awaits such proceedings, comes, a hasty arrangement is patched up between the debtor and his creditors, altogether under the dictation of the former, who deals out the remnants of his property, if there be any, to his friends or favorites, at his will and pleasure, with the air of a Lord Chancellor, and the creditors have nothing to do but to hear and submit to the decree, in the shape of an assignment. Debtor and creditor retire from this dishonest transaction mutually dissatisfied ; the one to resume his business, his station in society, his pride and

* Judge Hopkinson of Philadelphia, — Lecture on Commercial Integrity, 2d of March, 1832; pp. 4 – 8.

importance, his manner of living, without any visible degradation or retrenchment ; and the other, to repeat the same system of credit, with the same disastrous credulity. It is not unfrequent for the same individual to run a second time over the same course of extravagance, folly, and ruin. If *this* is the manner of our settling the affairs of an insolvent, concludes he, we may imagine what becomes of the *foreign* creditor and his claims, and cannot be surprised if he is loud in his complaints.

Without undertaking to confirm the representations of this learned magistrate, and most respectable writer, still it cannot be denied, that the manner in which bankrupts have, in this country, and perhaps elsewhere, too frequently conducted themselves towards those who have trusted them ; and especially the authority they have assumed, and sometimes insolently too, over their property, in exclusion of those to whom it rightfully belongs, are a subject of just and great complaint, utterly inconsistent with the principles of honest dealing, and tending to destroy all confidence and all security in commercial transactions. The moral duties imposed on a bankrupt merchant are twofold ; — they have respect to the approach of his bankruptcy, — and, again, to the condition of things when bankruptcy has actually overtaken him.

It rarely happens, that the ruin of a merchant is effected at a single blow, by a single unlooked for misfortune. It is more usually the result of a series of unfortunate events, or imprudent expenditures, each bringing him nearer to his overthrow. He has usually many significant warnings of his fall, and cannot but see its approach, when he dares to look steadily towards it. But this he carefully avoids. He shuts his eyes upon it, he strives to deceive himself, and continues to deceive others. He turns from expedient to expedient, from bank to bank, from friend to friend, still increasing his debts and his difficulties, until he can struggle no longer, and sinks under a burthen, doubled and trebled by his desperate efforts to extricate himself. If he had had the wisdom, the manliness, the honesty, to yield to the pressure, when it first became too heavy for him, how many sacrifices would have been saved, how many debts avoided, how much injury and discontent prevented. This weakness, this reluctance to surrender, when he knows, or ought to know, that he cannot sustain the contest,

is the source of much of the calamity and misconduct which attend an insolvency. It is confessed and regretted too late.

But when the struggle is at an end, when the failure is admitted and announced, — in this state of his affairs, what will a just and conscientious man believe to be his duty? The true answer to this question will present itself, without hesitation, to an ingenuous mind, uncorrupted by sophistical opinions, and untrammelled by corrupt customs. The answer must be, “ I will surrender to my creditors my property, of every description, (for in truth it is theirs,) to be distributed among them in proportion to their respective debts, untrammelled by any conditions for my own advantage, unimpaired by any disposition or incumbrance made with a view to my insolvency; and I will depend upon their liberality and my own industry, guarded by more caution and economy, for my future fortune and support.” Such a man would come again into business entitled to public confidence, and he would not fail to receive it; he would come chastened and instructed in the school of misfortune, and, by the upright prudence of his second course, would redeem the errors of the first. How widely different the course generally taken is from this, has already been more than intimated.

The practice, in disposing of the effects of a bankrupt merchant, by which almost always the greater part, and sometimes his entire property, is given to *preferred creditors*, so called, among whom endorsers usually take precedence, has been reprobated by many good men, and, it is believed, cannot be justified on any principle of right or good conscience. What is the superior claim of an endorser to indemnity and payment? He was fully aware of the hazard when he made the engagement; it was as much an ordinary risk of trade as the sale of merchandise. He took the risk upon himself, without asking any other security than the solvency and good faith of the drawer. The vendor of goods does the same. On this security, the one gives his name, and the other his property; the latter expects nothing but the payment of his debt, while, in nine cases out of ten, the former receives the like favor in exchange for his own. And yet this endorser is to be preferred to the man who has delivered his goods, his labor, or his money, on the faith, probably, of the false credit, of the

unsubstantial display of wealth, made by the aid of the endorser, whose name and promise have thus been the instruments of deception, the lures to entice the unsuspecting into a gulf of ruin, against which the endorser expects to be protected by the virtue of an assignment. And the case is greatly aggravated, it becomes, in truth, a case of unqualified plunder, when this endorser, after putting his preference into his pocket, never pays the engagement for which it was given, but settles with his creditors in the same way. Can we imagine any thing more shocking to every sense of justice and morality, than that an honest merchant, who, but a few days before the failure of his debtor, had delivered to him goods, at a fair price, should be called to witness his bales of merchandise, his barrels of flour, handed over, just as they were received from him, to some preferred, some favorite creditor, under the pretence that he was an endorser, or under some pretence equally iniquitous. Yet it is affirmed, that such things have happened among our merchants, and that neither shame nor dishonor has overwhelmed the perpetrator of them.*

This usage, this system of preferences, its injustice, its impolicy, its pernicious effects on fair trading, might be more fully exposed ; and it might be shown, that, while it is countenanced, it is vain to expect a healthy state of commercial credit, a conscientious caution in contracting debts, or an honest endeavour to discharge them. The only case of preference entitled to favor seems to be, where money, or other property is deposited *in trust*. This case is peculiar, and the trust should be held sacred. It has nothing to do with the trustee's business or trade ; it never, in any just acceptation, became a part of the property of the trustee, assignable by him as such. It never was, morally, at his disposal for any other uses or purposes, than such as were designated by the terms of the trust.

The usual system of endorsing, too, which prevails among merchants, the well-known facility of obtaining credit on the faith of *mere names*, is another part of commercial morality which has been severely animadverted on. † An endorsement purports to be a surety for the payment of the note ; an additional security

* Hopkinson's Lecture on Commercial Integrity, p. 19. † Idem, pp. 12, 13.

to the responsibility of the drawer. How seldom is it so in fact? Experience has taught every one, that the drawer and endorser are so linked in with each other, so equally bound in mutual responsibilities, that the failure of one is the failure of the other, and that the security of both is no better than that of either. Excessive credit is the fatal bane of commercial honor and honesty. The transactions of business, so called, are, to an immense extent, little better than fictions. Goods are sold without being paid for, and a note is taken for them which will never be paid. This is followed by forced sales and ruinous sacrifices of property for immediate relief, temporary relief, and the whole winds up with an assignment, when there is nothing of any value to assign. This, assuredly, is an unwholesome state of trade, and corrupts and undermines the whole commercial community.

Moreover, money so easily obtained is as lightly spent, and this brings us to another dark and deep stain on our commercial reputation.* The proud splendor, the heedless extravagance, the unbounded luxury, in which these ephemeral princes indulge themselves, during their transit, are always immoral, shockingly so, when, at the conclusion of the farce, it appears that it was showed off at the expense, perhaps on the ruin, of creditors. Magnificent mansions in town and country, gorgeous furniture, shining equipages, costly entertainments, in short, a style of living, an exuberance of expenditure, which would be unwise, in this country, in any affluence of fortune, and is absolutely criminal in the actual circumstances of the spendthrift. And, when the blow falls, that prostrates all this grandeur, what artifices are practised upon the good nature of the creditors, to retain as much as possible of these gaudy trappings *for the family*, instead of casting them away as the ensigns and testimonies of fraud and dishonor. Little consciousness is shown for the injuries and losses of those who have fed, with their substance, the splendid folly of the delinquent, little regard to public opinion, or sense of decorum or shame; but every thing is hurried to a conclusion, that he may resume what he calls his business, and be-

* Hopkinson's Lecture on Commercial Integrity, p. 14.

tray again. And here arises a reflection, domestic, it is true, but of infinite concern to a heart that has not extinguished the sensibilities and duties of nature, as well as the obligations of justice. If the splendid impostor should not live to make his arrangements with his creditors, but be cut off before he has run his course of dissipation, in the very midst of his enjoyments; what a scene of desolation and distress begins in his family. The charm is broken, and realities take the place of delusive visions of happiness and wealth. Every thing is torn away to satisfy abused and irritated creditors; scarcely a comfort is left, where, but just now, all was abundance and luxury. His afflicted wife and children, accustomed to the most delicate and costly indulgences, with every wish anticipated, every sense of pleasure gratified; so protected, that "the winds of heaven might not visit them too roughly;" unconscious of danger; in a moment, without a warning, find themselves without money, without help, and without hope. This is no fiction; it is a tragedy, which has been too often acted on the commercial stage of this country.

These evils have been ascribed to two causes, — the defects of the law, — and the too frequent want of a suitable commercial education and training among our merchants.* Too much seems to have been done by our legislators to favor the debtor without regard to his honesty; to weaken the rights of creditors, to put them at the mercy of the debtor to receive from him just so much justice as he may choose to accord to them; and to deny to them a reasonable and satisfactory account from the man who first defrauds and then defies them. A bankrupt law is wanted, by which a power may be given to competent persons to examine closely and particularly, in what manner and for what purposes the debts of the bankrupt were contracted; whether in the fair and regular pursuit of his business, or in the indulgence of flagrant immoralities and vices; to search deeply, and with the means of forcing out the truth, into the ways by which his property has been lost or disposed of; to foil every attempt at concealment, to lay all his transactions bare, and to insist upon explicit and satisfactory explanations of all that is doubtful; and, when this purifying process is completed, to distribute all the effects obtained by it, honestly and equally among the creditors,

* Hopkinson's *Lecture on Commercial Integrity*, pp. 9, 20.

in proportion to their respective debts. Such a law ought to admit of no preferences to endorsers ; no favors to friends ; no partial assignments for special objects, which are just so many means by which an insolvent debtor may stipulate for and cover benefits for himself ; and finally, while a bankrupt law ought to inflict severe penalties upon a fraudulent, prevaricating, and perjured debtor, it ought to hold out cheering inducement and honorable rewards to the open and upright man, to cherish and protect the unfortunate, but honest debtor, and to return him a part of his substance, with which to supply his wants and resume his business.

Again, men too frequently assume the profession of merchants in this country, who are utterly unqualified by *the general education, by the particular education*, by the knowledge and acquirements, which are indispensable to command respect, and obtain a continued and honorable success. To open the springs and manage the currents of commerce, to plan a voyage of adventure and calculate its contingencies, to provide and regulate the funds and finances of various extensive mercantile operations, so that they shall meet every want at the proper time and place, is the business of the higher order of merchants. Is commerce so low in the scale of human affairs, that the qualifications it demands are so common, as to require no education suitable for them, no experience to obtain them ? Why should not a youth, who aims at the profits and honors of commerce, who expects to be distinguished by ability and success as a merchant, begin his career in a counting-house, where he can see the practical operations of business in its various branches ; where he can acquire habits of system, regularity, and exactness ; acquire thorough skill in accounts ; learn to distinguish, with promptness and accuracy, the qualities of merchandise ; anticipate the fluctuations of the market, by the causes which usually affect them ; and acquire a tact of caution and foresight, of calculation and decision, which alone can secure a safe and continued prosperity. This is the way in which merchants who deserve, or even aspire to the name, are made in other countries.*

* *Ibid.*, p. 10.

The Romans put an humble estimate on merchants, as the Russians do at this day. Napoleon, late emperor of the French, concurred with them, in placing merchants among the more humble orders of society ; but these seem to be exceptions, and the genuine mercantile character, at which every merchant ought to aim, is truly respectable and honorable, and has generally been esteemed so, at all times. A wise and prudent foresight combined with enterprise and decision, punctuality, regularity, and exactness, extensive practical knowledge of men and things, sterling integrity and untarnished honor, are the shining virtues of the mercantile profession. The merchants of Babylon “were the great men of the earth,”* and the merchants of Tyre, called in Holy Writ, “the crowning city,” were “princes, and the honorable of the earth.”† And who, that is familiar with the English classics, has not dwelt with admiration on Mr. Addison’s description of the English merchants, and of the wide sphere and blessings of English commerce, given in a visit of the “Spectator” to the Royal Exchange. ‡

CHAPTER VII.

MORAL TENDENCY AND INFLUENCE OF MANUFACTURING ESTABLISHMENTS.

THE moral and other influences of manufacturing establishments have been the subject of much discussion, during many years past. The effects of them, both good and evil, have long been fully understood in Europe, especially in England, and they are beginning, not indistinctly, to manifest themselves in this country. A Report made to the Legislature of Massachusetts, on the 17th March, 1836, discloses the state of public feeling and opinion in that respectable State, and shows how far the evils so well known in England have already manifested themselves there.

* Revelation xviii. 23. † Isaiah xxiii. 8. ‡ Spectator, No. 69.

The committee say, that the employments, and consequently the condition, of large classes of the population of New England, and especially of Massachusetts, are changed and are rapidly changing; and that it has become the solemn and indispensable duty of the legislature to provide seasonably and effectually, that those institutions, which have given to New England her peculiar character for general intelligence and virtue, be not changed with the changing employments of her people. They declare, that the consequences of this change of employments are not anticipation and speculation *merely*, that they are facts of which they have been witnesses. After adverting to various well-known facts and circumstances, they again say, "The causes for anxiety, to which we have so briefly alluded, may operate silently and unseen; but they will operate eternally as the laws of gravity. And their influence, both immediate and prospective, must be carefully watched by all who would cherish and secure the purity and permanency of our free institutions." * They say, too, that in this case, if we would reason and act with discretion, we must reason and act upon *the contemplation of causes* without waiting for *their full effect*, because, if the dangers to which their attention has been directed, cannot be *foreseen* and *prevented*, they have no remedy. They allege, that powerful causes are in constant operation, within the sphere of large manufacturing establishments, to frustrate and prevent that universal education, which, they say, was provided for by the forecast and beneficence of the founders of the New England republics, "on which alone we can rely for our domestic, social, and moral well-being, which our institutions suppose and require, and which has made these republics the nurseries of intelligent, enterprising, and patriotic citizens for the younger sisters of the Union." They argue the inestimable importance of universal education to this country, where, by our laws of universal suffrage, the government is thrown, at short periods, into the hands of the whole mass of the people, without reference to their intelligence or their virtue. They state, that in a manufacturing population of less than twenty thousand within the State, there are eighteen hundred and ninety-five

* See Report, p. 11.

children between the ages of four and sixteen, who do not attend the common schools any portion of the year, and that from this number but a very slight deduction is to be made for those who attend private schools. They are sensible, too, that no wisdom of the legislature can *remove* the natural causes of prospective evil on which they dwell; — the most they expect, is, that they may, in some degree, *counteract* them and *diminish* their effects. That may often be counteracted, in a measure, which cannot be entirely remedied. In view of these considerations, they earnestly recommend to the legislature to use all the means known to, and consistent with, our institutions, to secure universal education throughout the commonwealth.

These observations and arguments of the very respectable committee of the Massachusetts Legislature have been thus abridged and presented by me in a summary way, not certainly in a spirit of hostility to manufacturing establishments, but to call the attention of their proprietors and all others to the dangers impending, and to urge them to counteract, as far as they can, the deteriorating influences which these establishments must, from their nature, in some degree, exert on those who are employed in them. For the sake of distinctness, it may be well to enumerate the principal evils, which have sprung from manufacturing establishments in England, and which are beginning to be felt in this country, with the remedies on which we can place most reliance, and to accompany both with very brief illustrations.

1. Manufacturing establishments are unfavorable to health and length of life. This is to be ascribed to the severity of the confinement of the inmates, to the impure atmosphere which they breathe, to their want of opportunities for exercise, and, above all, to their being kept from the enjoyment and the invigorating influences of the open air. 2. Their tendency is, to make the rich richer, and the poor poorer. A manufacturing population is divided into capitalists and laborers, owners and operatives, — the former class generally small in number, and wealthy; the latter numerous, poor, and depressed. The laborers receive little, if any thing, more than a scanty subsistence, while it is in the nature of capital to augment itself. 3. They are highly unfavorable to intellectual, moral, and social improvement. The

collection of large numbers of children, youth, and middle-aged persons, of both sexes, into compact villages, is not a circumstance favorable to virtue. Nor is it difficult to understand, that a change in occupation, from those diversified employments which characterize an agricultural people, to the simple operations consequent upon that minute subdivision of labor, upon which the success of manufacturing industry depends, is not a circumstance favorable to intellectual developement. By the former, the ingenuity and inventive powers are called into action, in the combination and adaptation of means to ends, and thereby they are developed and strengthened. By the latter employment, the invention having been made by some master spirit, the operative is reduced, in some degree, to the humble sphere of a part of the machinery. 4. Unless their natural deteriorating tendency can be counteracted, there is reason to fear, that they may prove unpropitious to the success of our republican institutions. If these institutions continue to be sustained, which we must not permit ourselves to doubt, they must rest on the general prevalence of knowledge and virtue, as their main pillars.

The legislatures of our States may counteract the natural tendencies of manufacturing establishments, in a certain measure, and their proprietors may aid in counteracting them still more.

1. By prohibiting children from being employed in manufacturing establishments more than *a part of the time*, during those years when the body needs much exercise in the open air to strengthen it, and when they ought to be acquiring the elements of education. This is the plan recommended by the Massachusetts committee to the legislature.
2. By the establishment of savings banks, in which the operative manufacturers shall be encouraged to deposite a part of their scanty earnings for their future use.
3. By prohibiting, or if not, yet by discouraging the use of spirituous liquors ; and, to this end, by prohibiting or discouraging the keeping of dram-shops in the neighbourhood of manufacturing establishments.
4. By encouraging the suitable observance of Sunday, and, to this end, building churches in the neighbourhood and supporting the ministers, establishing schools, specially designed for their children, and libraries, well furnished with books of entertainment and instruction suited to their wants and

capacities. This is a duty devolving rather on the proprietors of manufacturing establishments than on the legislatures; and the author is acquainted with several instances in Massachusetts, in which this duty has been discharged in a manner equally honorable to the proprietors and beneficial to the laborers.

CHAPTER VIII.

MORAL TENDENCY AND INFLUENCE OF THE VARIOUS MECHANICAL TRADES.

IT does not come within my plan to do more, than make some general remarks on the moral tendency and influence of the various mechanical employments. The most obvious division of them is, into the active and the sedentary; and the first of these may again be divided into those which are pursued under shelter, and those which are pursued in the open air. A third class of mechanical occupations may be referred to, as being subjected to the specific agencies of a deleterious or poisonous nature, as those of painters, glaziers, gilders, &c. That class of mechanics whose employments are active, and are pursued chiefly in the open air, or, if under shelter, yet permit the free access of fresh air, live under many of the favoring moral influences of agriculture.* Some of these are even superior to agriculture in the opportunities and facilities for invention which they furnish, and, in this respect, they favor and stimulate intellectual improvement. This is the case with ship-building, engineering, &c. Most of them, too, are eminently conducive to health, the most precious of blessings, next to a good conscience, and which is itself one of the most powerful of all the moral influences.

On the other hand, the sedentary mechanical employments are much less conducive to health, intellectual developement, and good morals. Besides certain evils peculiar to each, particular disadvantages belong to them all in common; 1. Confinement to one position, and consequent defects of muscular action. 2. The

* See above, pp. 349, 350.

incidental, but unavoidable, seclusion from fresh air. 3. The necessity of employing artificial heat in winter, arising from the inadequate production of animal heat, by reason of want of exercise. The sedentary mechanical trades, therefore, partake considerably of the adverse moral influences, which have been ascribed to manufacturing establishments. The mechanical occupations, which, by the nature of the materials used or worked upon, subject the laborer to a specifically poisonous influence, as in the case of gilders, painters, &c., are, of all, the most injurious in their moral as well as in their intellectual and social tendency.

To dwell more minutely on the moral tendency of the various mechanical trades, does not consist with my plan of confining myself to the *elements* of moral philosophy. It will be more useful to close this part of my labors by making several observations of a general character, and pertaining more or less to all the professions and employments in life.

1. Those professions and employments are to be preferred for children, which are most favorable to health, morals, intellectual and social improvement, personal religion, good habits, &c. This does not seem to need illustration.

2. The great advantage of wealth is, not that the wealthy man may rightfully live without any business, or any *useful business*, but that his wealth puts it in his power to select his employment. No man is justified in spending his life in doing nothing, or nothing useful. Every man is bound to make himself useful in his day and generation. But some employments are vastly more healthful, honorable, and otherwise agreeable, than others; and, among them all, the wealthy man may rightfully take his choice.

3. No good man can, in the way of his profession or employment, permit himself to be made accessory to the perpetration of crime, guilt, or any palpable wrong whatever. This has already been illustrated, in a certain measure.* On this subject, it may be admitted, that a very definite rule cannot well be prescribed; but

* See above, pp. 224, 225; 313, 314.

still reasonable limits may be assigned, which, with an honest purpose in view, will be a safe guide to the conscience. (1.) In regard to some things, their use and tendency are naturally good, and will always be so *in fact*, unless they are grossly perverted and abused. This is true of almost all the professions and employments of life, — they are almost all useful in their way and degree. (2.) The tendencies and consequences of other things, and of certain transactions, are doubtful. A gunsmith may, in the way of his business, rightfully dispose of a brace of pistols to a stranger as well as to an acquaintance, although he does not know but the stranger may use them in duelling, or to extort the purses of travellers on the highway. An apothecary may rightfully sell arsenic with suitable precautions ; because arsenic is used in medicine, and for some other useful purposes, as well as to commit suicide. In such transactions as these, a good man may, as a general rule, be safely engaged. The exceptions consist of those cases, where the doubt is, by some means, converted into certainty or reasonable probability, that evil will be the consequence. (3.) Cases in which the effect must, in the natural course of things, be evil, and only or chiefly evil. For instance, the sale of spirituous liquors, except as a medicine, and the circulation of immoral books whether by sale or otherwise. In neither of these things ought a good man, under any circumstances, to be engaged. I shall dwell for a moment on the latter case, to confirm and illustrate the principle in question.

I stand in a bookseller's shop, and observe his customers successively coming in. One orders a Bible, another a lexicon, a third a work of scurrilous infidelity, and a fourth a new licentious romance. If the bookseller takes and executes these several orders with the same willingness, is there no inconsistency, no violation of moral principle ? Perhaps this bookseller is so conscious of the mischievous effects of some of his books, that he would not put them into the hands of his children, nor suffer them to be seen in his parlour. But, if he thus knows the evils which they are fitted to inflict on society, can it be right for him to be the agent in diffusing them ? Step into the shop of this bookseller's neighbour, a druggist ; and there, if a person asks for

some arsenic, the salesman begins to be anxious. He considers whether it is probable the buyer wants it for a proper purpose. If he sells it, he cautions the buyer to keep it where others cannot have access to it ; and, before he delivers the packet, legibly inscribes upon it, — poison. One of these men sells poison to the body, and the other poison to the mind. If the anxiety and caution of the druggist is right, the indifference of the bookseller must be wrong. Add to this, that the druggist would not sell arsenic at all, if it were not sometimes useful ; but an immoral or licentious book cannot be useful to any person, or on any occasion whatever.

But this point may be usefully pursued still further. Suppose that no printer would commit such a book to his press, and that no bookseller would offer it for sale, the consequence would be, that nine-tenths of these manuscripts would be thrown into the fire, or rather that they would never have been written. The inference is obvious ; and, surely, the consideration does not need enforcing, that, although one man's refusal may not prevent immoral books from being published, he is not therefore exempted from the obligation to refuse. A man must do his duty, whether the effects of his conduct be such as he would desire, or otherwise. Such purity of conduct might, no doubt, circumscribe a man's business, and so does purity of conduct in some other employments ; but, if this be a sufficient excuse for contributing to demoralize the world, if profit be a good justification for departing from rectitude, it will be easy to defend the most atrocious crimes. He who is more studious to justify his conduct than to act aright, may say, that, if a person may sell no book that can injure another, he can scarcely sell any book. The answer is, that, although there must be some difficulty in discrimination, though a bookseller cannot always inform himself what the precise tendency of a book is, — yet there can be no difficulty in judging, respecting many books, that their tendency is evil, and only evil. If we cannot define the precise line of distinction between the good and the evil, we can still perceive the evil when it has attained to a certain magnitude. He who cannot distinguish day from twilight, can distinguish it from night. And not only booksellers, but all who are knowingly concerned in the circulation of

immoral and licentious books, to wit, printers, binders, and keepers of circulating libraries, come in for their share of the guilt. But what shall we say of the *authors* of such books? *They* stand on a high preëminence of guilt; for, without them, such books would never have existed. I have selected the case of writing and circulating immoral books, to illustrate a general principle. The principle itself ought to be applied to reform and purify several employments which exist among us.*

4. No man can rightfully do any thing on the ground of a special code of professional morals, which he would not do on his own personal responsibility. Judge Hopkinson says, opinions have got a footing among mercantile men, a code of ethics has received a sanction from them, which appear to him to be altogether wanting in sound principles of justice and morality. Again, he says, addressing merchants, “Do not believe that there is one sort of honesty, one code of morality, for *your business*, and another for *your ordinary transactions*; that you may deceive and ruin a man in the way of trade, while you would shrink from taking a pin from his pocket; that any thing can be just and honorable in a merchant, that is not so in the man and the citizen, in the gentleman and the Christian. Such distinctions may satisfy the ethics of a vicious cupidity, and quiet the conscience of one who would be honest only for the world’s eye, and to avoid the penalties of crime; but can never be sanctioned by a pure and uncorrupted mind.” †

If there is, among merchants, a special code of professional morals, subversive of the ordinary principles of morals, as this learned jurist asserts; there may be similar codes known to, and practised by, men of other professions. And his denunciation of this special mercantile code, must equally apply to all similar professional codes, customs, and systems, of whatever kind they may be.

5. Every honest man ought to blush to do any act as a member of a committee, corporation, legislature, or other *body of men*, which he would not be willing to do on his own individual responsibility. That bodies of men act with less rectitude and

* Dymond’s Principles of Morality, pp. 168, 169.

† Lecture on Commercial Integrity, pp. 16, 22.

less disinterestedness than individuals, has been affirmed by the most accurate observers of the conduct of mankind ; and for this an obvious reason has been given. Members of committees, corporations, legislatures, &c., sit with a *divided responsibility* ; and “ regard to reputation has a less active influence, when the infamy of a bad action is to be divided among a number, than when it is to fall singly on an individual.” * This *corporation spirit*, as it may be called, which belongs, in a greater or less degree, to all associations of whatever kind, should be well known to, and kept in mind by, those who take the lead in directing our charitable, missionary, education, and other similar societies. Their success and usefulness depend on their securing general favor and esteem. To this end, they must pursue their noble objects by none but right means. I am not convinced, that there is any just cause of complaint against these associations ; — they do honor to our times, and are one of the brightest hopes of the times to come ; but their conductors should understand their tendency to this abuse, the besetting sin to which they are most exposed, and guard well against it.

* Alexander Hamilton, in the *Federalist*, No. 15.

PART SIXTH.

A SPECIAL CONSIDERATION OF CERTAIN DUTIES AND VIRTUES, OF A CHARACTER PECULIARLY CHRISTIAN; AND A SIMILAR CONSIDERATION OF CERTAIN VICES AND EVILS.

NOT only the gross sensual vices, some of which cannot even be named without shocking the ears of a Christian,* but hatred, variance, emulations, wrath, strife, seditions, heresies, envyings, murders, drunkenness, revellings, idolatry, deceit, malignity, backbiting, hating of God, pride, vain-glory, hypocrisy, uncharitableness, invention of evil things, disobedience to parents, covenant-breaking, implacability, want of understanding, want of compassion, covetousness, absence of natural affection, and the like, are ascribed, in Holy Writ, to the flesh lusting against the spirit, and are denounced as damnable vices, which will exclude those who practise them from all hope of the kingdom of God.† On the other hand, love, joy, peace, long-suffering, gentleness, goodness, faith, meekness, temperance, are called the fruit of the Spirit, and are ascribed to the influence of the Holy Spirit of God.‡ Giving all diligence, we are required to add to our faith, virtue; and to our virtue, knowledge; and to knowledge, temperance; and to temperance, patience; and to patience, godliness; and to godliness, brotherly kindness; and to brotherly kindness, charity.§ Christians, as the elect of God, are to put on bowels of mercies, kindness, humbleness of mind, meekness, long-suffering; forbearing one another, and forgiving one another, if any man have a quarrel against any. And, above all these things, they are to put on charity, which is the bond of perfectness.||

* 1 Corinthians v. 1.

† Romans i. 29-31; Gal. v. 17-21.

‡ Galatians v. 22.

§ 2 Peter i. 5-7.

|| Colossians iii. 12-14.

It is not requisite, that all these virtues and vices should be made the subjects of special consideration in a treatise of moral philosophy ; — most of them, perhaps all of them, have been occasionally adverted to, as circumstances suggested, and may be so adverted to again ; — but there are some of them, without the special consideration of which my labors would be too imperfect to expect the approbation of those whose favorable judgment I am anxious to obtain.

CHAPTER I.

DUTY OF FORGIVING INJURIES.

IN the prayer prescribed by our Saviour to his disciples, we are authorized to expect the forgiveness of our trespasses, only in the measure in which, and on the condition that, we forgive those who trespass against us. And it is worthy of attention, that, after prescribing this prayer, the Saviour, omitting all notice of the other parts of it, selected this clause, upon which to make a special comment. He says, “ If ye forgive men their trespasses, your heavenly Father will also forgive you ; but if ye forgive not men their trespasses, neither will your Father forgive your trespasses.” * As Christians, we are to “ recompense to no man evil for evil.” We are to “ bless those who persecute us ; we are to bless and curse not.” We are not to “ avenge ourselves, but rather to give place unto wrath ; for it is written, ‘ Vengeance is mine ; I will repay, saith the Lord.’ ” If an “ enemy be hungry, we are to feed him ; if he be thirsty, we are to give him drink. We are not to be overcome of evil, but to overcome evil with good.” † Again, “ This is thankworthy, if a man for conscience toward God endure grief, suffering wrongfully. For what glory is it, if, when ye be punished for your *faults*, ye shall take it patiently ? but if, when ye do well, and suffer for it, ye take it patiently, this is acceptable with God.” ‡

* Matt. vi. 9 – 15.

† Romans xii. 14 – 21.

‡ 1 Peter ii. 19 – 20.

The forgiveness of injuries, therefore, is a preëminent Christian virtue and duty, and the highest place among the virtues is assigned it by our Saviour. It seems to have been unknown to the ancient heathen moralists ; and moreover, even at the present day, it seems to have made comparatively, and surprisingly, small progress in the world. Many men refuse to forgive offences, who would consider themselves very much wronged, by the imputation, that they live in the habitual transgression of one of the fundamental points of Christian morals. The practice of this duty is admitted to be difficult, in the highest degree difficult. It requires a command over those passions, which, of all others, are most violent in their impulses, anger, resentment, revenge, and malice, — passions which have filled the earth with every kind and degree of violence and wrong, of sorrow and suffering. Our Saviour knew how difficult the practice of this duty is, how much self-command, how much self-discipline, how much expansion of mind, how much benevolence of heart, how enlightened a conscience, how firm a sense of duty, it requires ; but he has not made this difficulty *an excuse for neglecting it*. On the contrary, he admits the difficulty, and requires his disciples to rise superior to it. “Ye have heard,” says he, “that it hath been said, ‘Thou shalt love thy neighbour, and hate thine enemy.’ But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them that despitefully use you and persecute you ; that ye may be the children of your Father who is in heaven ; for he maketh his sun to rise on the evil and on the good, and sendeth rain on the just and on the unjust. For, if ye love them (only) that love you, what reward have ye ? do not even the publicans the same ? And if ye salute your brethren only, what do ye more than others ? do not even the publicans so ? Be ye, therefore, perfect (in your benevolence and good-will), even as your Father who is in heaven is perfect.” *

The duty itself, then, of forgiving injuries, and the importance of the duty, are as clear as the bright shining of the sun at noon-day ; still the nature, measure, and rule of the duty admit and require further illustration.

* Matt. v. 43 - 48.

I. The rule of forgiveness, when injury has been done to us, is, of all the rules of conduct, best adapted both to the moral and physical constitution of man. As a general principle, if we wish to know what will be the effect of a certain course of conduct on others, we have only to turn our attention *inward*, and inquire, what would be its effect on ourselves? We all know, that the natural effect of anger in others towards us is to excite anger in ourselves; of kindness, to excite feelings of kindness. It seems to be a universal law of nature, that like should produce its like. The herb yields seed, and the fruit-tree fruit, each after its kind; and on the regularity and certainty of this law the husbandman relies with the utmost confidence. Something like the same law prevails in regard to many diseases to which the human body is subject. Fever flies from one individual to another, and is, in kind, the same disease. The same law prevails in the intellectual and moral world. In all that is said about the force of example, this is taken for granted. It is upon this principle, also, that we account for the power of sympathy. The natural tendency of mirth is to awaken mirth, and of grief to produce grief. So also of the benevolent and the malignant passions. Does not unkindness towards us from others excite unkind feelings towards them in our own breasts?

As a necessary consequence of this law, therefore, we, by retaliation, or returning evil for evil, are only adding fuel to the flame. It was, probably, some unkindness on our part, either real or imagined, which first excited the hostile feelings towards us. By increasing that unkindness if real, or by making it real if it was imaginary, do we expect to remove the hostile feelings? We might as well expect to remove an infection from an individual by filling his lungs with the fatal miasma which has caused it. We might as well expect, that, in agriculture, corn will not yield corn, and wheat will not yield wheat. We might as well laugh, and expect others to weep; or weep, and expect others to laugh. There is, then, a two-fold wrong in returning evil for evil. We are cherishing the same angry feelings in our own minds which we condemn in others; and, in the minds of others, we are increasing and perpetuating the same feelings. "As coals are to

burning coals, and as wood to fire, so is a contentious man to kindle strifes." *

On the other hand, it is equally true, that the natural tendency of kindness from others is to awaken kind feelings in our minds towards them. When a man injures an individual, and he, instead of retaliating, generously forgives him, and, resisting the impulse of his fallen nature, pursues the elevated course prescribed by the rule of forgiveness, embracing every opportunity to do him a kindness, it invariably, if he is not a monster, softens and subdues his hostile feelings. He soon begins to accuse himself of having been in the wrong, and feels disposed to make amends for the past, and to act otherwise in future. Here, then, we may see how similar conduct on our part will affect the mind of another. "As, in water, face answereth to face, so the heart of man to man." † Consulting the laws of human nature, therefore, our reason must unite with Scripture in convincing us, that we can overcome evil only by returning good. ‡ We must, in the spirit of our religion, rise above the first impulse of our depraved nature, and, ever aiming to do good, pursue the course prescribed by this Christian rule.

Further argument to my purpose may be derived from the consideration, that the course of conduct prescribed by this rule is attended by what does not attend an opposite course, to wit, an approving conscience. He who returns kindness for injury, who fills with good the very hand that is lifted to do him harm, feels that he is acting an elevated and magnanimous part. In the gentleness of his own mind there is an inward peace, in the very benevolence of his intention there is a happiness, pure and substantial. There is a voice speaking within him which nothing can silence, and it tells him that he is doing right. Compare this spirit with its opposite, and it may be seen who is the enviable man; he, who, fretting and raging at the injuries which he has received, would hurl vengeance on the aggressor, or he, who, calming down every rising passion, keeps his spirit in subjection, and, looking with benevolence upon one who has wronged him,

* Proverbs xxvii. 21.

† Proverbs xxvii. 19.

‡ Romans xii. 21.

is not overcome of evil, but seeks to overcome evil with good. Which is rewarded with real pleasure, the spirit of resentment and retaliation, or that of forgiveness and good-will? While the one, like the deep fires of a volcano, burns and rages within, the other is inspired with calmness, serenity, and satisfaction of mind.

On the one side, we see an individual who has been injured. He is devising a way by which he can retaliate; his mind is roused by resentment, and, by some return of evil, he is seeking satisfaction. On the other side, we see another individual, to whom an equal injury has been done; but he, in the spirit of forgiveness and good-will, is meditating how he can benefit the man who has injured him. Which is the more to be envied in the event of success? I need not advert to the case of him, who, haggard in countenance, tortured in heart, and stricken in conscience, has satiated his burning vengeance by the assassination of his victim. I need not call to mind the case of the victorious duellist who has laid his antagonist low in the dust; nor the case of him, who, by any overwhelming stroke of retaliation, has succeeded in inflicting ruin on his enemy. In these cases, the misery of success is too manifest to need remark. Observe him who is intent on retaliation in any of *the more common ways*, by which injury is returned, by evil insinuation, by the whisper of detraction, by dark surmises, or by public abuse and the virulence of invective; observe him, looking upon the object of his resentment under the consciousness, that he has triumphed, that he has tarnished his reputation and blasted his hopes for the future; can we believe that the peace of Heaven attends his success? On the other hand, observe him, who, by returning good for evil, has disarmed and overcome the aggressor, and, from being his enemy, has made him his friend. Does he not, must he not, from the constitution of his nature, enjoy a peace and tranquillity of mind, an inward satisfaction, to which the other is a stranger? The rule of forgiveness, then, is adapted to the moral constitution of man.

Nor is the argument derived from the effect which the malignant passions exert upon the health and the physical constitution of man generally, without great weight. In this respect, also, the rule of the Gospel is admirably suited to the nature of man.

The evil effects of an intemperate indulgence of the appetites are so many beacons which the Maker of our bodies has erected to warn us against danger. So also of the angry and malignant passions. It is universally known, that a peaceful disposition is conducive to health, and, on the contrary, an irascible disposition injurious to it. Hence, the care of skilful physicians, in critical cases, to have the minds of their patients kept in peace and tranquillity. It may, therefore, be affirmed, that the rule which requires us not to be overcome of evil, but to overcome evil with good, is adapted both to the physical and the moral constitution of man.

II. This rule of conduct, prescribed and enjoined by the Gospel, is also the one best adapted to man's character and condition. This position may be confirmed and sustained by viewing man under three aspects; as a social being; as a sinful being; as a being responsible for his actions, and destined to an immortal existence beyond the grave.

1. As a social being. It is manifestly the design of the Creator, that man should cultivate and cherish the social and kindly affections. Life begins with the tender relations of parents and children, and brothers and sisters, relations eminently calculated to call forth kindness and sympathy. The earliest feeling, awakened in the heart of the infant, seems to be love. Its first act of intelligence is, to recognise its mother with a smile. The mother's kindness soon leads the child to distinguish her from all others, and to cling to her as the object of its affection and confidence. From this early period, the child grows up in the bosom of the family, where the kind affections are daily cherished, and extended to other objects, until brothers, sisters, grand-parents, and neighbours, as well as parents, are gradually brought within the circle of its attachment and kindness. Now what is this but an evident preparation for after years? These relations are designed by Providence to give character to the child, and to fit it for the still larger circles of life, and to teach it, by degrees, to regard all men as members of the same family, where sympathy, and love, and beneficence may find new objects and more enlarged exercise. To entertain affections other than kindly is, then, contrary to the earliest and most natural lessons instilled into our minds.

Further, this rule is suited to man as a social being, because he

is hereby called to cherish and exhibit those affections towards others, which he daily needs that they should cherish and exhibit towards himself. Were we ourselves wholly free from the same condemnation, in which we include evil-doers, we might, with more propriety, ascend the tribunal of justice, and administer punishment to those who do us wrong. But where is the man living, who is not conscious of having, at some time of his life, in some way, injured a fellow-man? We may examine the whole human family, and find, if we can, one, who, neither by thought, nor word, nor act, has injured another. Surely, then, the recollection of our own faults ought to inspire us with the spirit of forgiveness when injured by others. For by condemning others we condemn ourselves.

2. Again, who is this that would return evil for evil? Is he not a sinful being? Has he not, in a variety of ways, and under the most aggravated circumstances, returned evil for good to the very God who made him and sustains him? Is he not daily indebted for all his enjoyments to a disposition on the part of his Maker, directly the reverse of his own? Is not God himself seeking to overcome evil with good, sending his rain, his sunshine, his seed-time and harvest, upon the just and the unjust? Is it not owing to this forbearance, that the sword of Divine justice still slumbers in its sheath, that the sun shines bright upon his path, that the earth and its flowers, the sky and the stars which spangle and adorn it, look fair and beautiful to him? Especially, what, but the love of the God whom he is daily offending, warns him, and pleads with him, and points him to the merits of a Saviour, and the salvation which he has purchased for him? Is it, then, for man, sinful man, to return evil for evil to his fellow-man?

3. As a being responsible for his actions, and destined to an immortal existence beyond the grave. The heart, that is now swelling with anger, will soon be laid in the dust. The lips, that are now uttering imprecations and quivering with vengeance, will soon be sealed in the silence of death. Shall he indulge feelings of resentment, whose body is hastening to the grave, and whose soul to the bar of his Judge? Let him call to remembrance the parable of the servant, who, although indebted to his lord ten

thousand talents, and forgiven all that debt, yet laid hands on his fellow-servant for an hundred pence, and cast him into prison. After sternly rebuking him for his hardness of heart and want of compassion, the sacred writer says, his lord cast him into prison until he should pay the debt. "So likewise," adds our Saviour, in conclusion, "shall my heavenly Father do also unto you, if ye from your hearts forgive not every one his brother their trespasses."* Again, St. Paul says, "Avenge not yourselves, but rather give place unto wrath; for it is written, 'Vengeance is mine, I will repay, saith the Lord.' Therefore, if thine enemy hunger, feed him; if he thirst, give him drink; for in so doing thou shalt heap coals of fire on his head,"† that is, you will soften him, and disarm him of his vindictive feelings towards you.

III. The Gospel rule of forgiveness is the only way by which a real and permanent victory over evil can be secured. We have seen that it is only by kindness that we can awaken kindness. By resentment and retaliation, we only call forth a repetition of the evil, and most probably, too, increased in bitterness. If we continue to act on the same principle, the evil must be again returned, and again received with the increase, until at length it must result in some appalling outrage. Trifling injuries have often ended in scenes of blood; slight resentment has grown into hatred, and hatred into burning vengeance. But, by returning good for evil, we subdue the heart. This is a real conquest. We may, indeed, if we have superior power, bring the body into subjection, but the mind remains unvanquished. We may load an enemy with chains, but he is our enemy still; we may immure him in a dungeon, but even there his heart is meditating revenge. We may, by authority or force, compel one who has injured us to repair the wrong, or to suffer for it; but this will not make him our friend. Had he power and opportunity, he would repeat the evil. But if we pursue the course prescribed by the rule of forgiveness, we subdue the heart, gain a conquest over the whole man, and convert an enemy into a friend. And this conquest will be permanent. It has been achieved, not by physical power, but by a moral power, which has penetrated the inmost soul, and called forth, in our favor, the nobler feelings of its nature.

* Matt. xviii. 23-35.

† Romans xii. 19, 20.

IV. The intrinsic nobleness of the rule of forgiveness and good-will is worthy of further and distinct consideration. It admits that wrong has been done, and addresses itself to the party who has suffered it. It says, Be not overcome by that wrong, that is, yield not to feelings of anger or vengeance, let not unkindness on the part of others awaken unkind feelings in your own breast towards them, return not insult for insult, injury for injury. Pursue an entirely opposite course ; return friendly services for unkindness, blessings for insults, and beneficence for injury.

“Be not overcome of evil, but overcome evil with good.” To rise above the impulses of a fallen nature, to conquer the evil passions, first in our own breasts, and then in those of others, is indeed a victory. It is implied by the rule, that the contest is at first *defensive* ; “*Be not overcome of evil.*” We must repel aggression by preserving a calm, tranquil, and benevolent state of mind, and its force will soon be exhausted. And then we must act upon the *offensive* ; “*we must overcome evil with good.*” By heaping benefits upon the aggressor, we shall subdue his heart, win his regard, and render it impossible for him to do us injury. But this is not the consummation of the victory ; it extends much further. By such a course, we learn to live and act as spiritual and immortal beings. We feel that it is not in the power of others to injure us, we can only injure ourselves. We arm ourselves with a panoply impenetrable. And the voice of conscience, too, assures us, that we are at peace with Him who alone has power to hurt and to destroy. “If our heart (conscience) condemn us not, then have we confidence toward God.”*

To prevent all misunderstanding, I subjoin two or three qualifications of the principle and line of conduct, which have just been discussed and recommended.

1. We are not required to put ourselves in the power of our enemies ; that is, of our own accord, to put it within their power to injure us. Not only so ; we are to use all rightful means to protect ourselves from injury and wrong. We may, on suitable occasions, and in a suitable spirit, too, resort for redress to the

* 1 John iii. 21.

law of the land, and call the strong arm of civil government to our aid. While we conform to the rule of forgiveness, and “overcome evil with good,” we are to retain prudence, circumspection, and a just self-regard.

2. An *undistinguishing* beneficence to men, whether friendly or inimical to us, is enjoined upon us neither by Scripture nor by right reason. We are to *do good to all*, but more especially to some, according to their differing merits, claims, circumstances, necessities, and connexion with ourselves.

3. It is by no means inconsistent with the rule of forgiveness, nor with the duty of “overcoming evil with good,” that we should feel disapprobation of the evil and of its author. The rule simply prescribes the course to be pursued towards those who are guilty of the evil. Great compassion and kindness towards a drunkard, for instance, are by no means incompatible with entire disapprobation of him and his ways. Neither is disapprobation of the conduct of those, who do us wrong, incompatible with kindness towards them. On the contrary, it is this very disapprobation which is to awaken our good-will, and to induce us to adopt that course which is best calculated to produce a reformation in those who have done the wrong. Philosophy has taught us many excellent lessons, but this rule is unknown to the philosophy of Aristotle, of Socrates, of Plato, and of Cicero.*

* This Chapter is much indebted to the “American Advocate of Peace,” Vol. I. pp. 317 – 324. Art. III. which, partly by abridgment, partly by amplification, and other changes, the author has converted to his purpose. His attention was drawn to it by a friend, who has manifested much interest in his undertaking.

CHAPTER II.

CHRISTIAN CHARITY.

ST. PAUL not only calls charity “the bond of perfectness,” and declares it to be “the fulfilling of the law”; but he assigns it a rank even higher than “*faith*, which is the substance of things hoped for, the evidence of things not seen,” and the “*hope*, that maketh not ashamed, and is an anchor of the soul both sure and steadfast.”* Again, he says, “Charity suffereth long and is kind; charity envieth not, charity vaunteth not itself, is not puffed up, doth not behave itself unseemly, seeketh not her own, is not easily provoked, thinketh no evil; rejoiceth not in iniquity, but rejoiceth in the truth; beareth all things, believeth all things, hopeth all things, endureth all things. Charity,” continues he, “never faileth; but whether there be prophecies, they shall fail; whether there be tongues, they shall cease; whether there be knowledge, it shall vanish away. And now abideth faith, hope, charity, these three; but the greatest of these is charity.” Moreover, he declares that the gift of tongues used by men and angels, the privilege of prophecy, universal knowledge of things human and divine, almsgiving to the exhaustion of our entire estates, and even the merit of submitting to martyrdom, by being burned for the truth and honor of our religion, without charity, are nothing worth.† And, in the summary of the commandments made by Christ himself, the love of our neighbour is placed immediately after love to God, and is made inferior to this supreme duty only. Charity, then, is the distinguishing grace of the true Christian, the crowning glory of the Christian profession; and this preëminence given to it, over all other Christian duties except love to God, will fully justify me in analyzing it with precision, if possible, and illustrating it in all its branches. This may be done most conveniently under three

* Colos. iii. 14; Rom. v. 5; xiii. 8-10; Heb. vi. 19; xi. 1. † 1 Cor. xiii.

divisions. I. The chief particulars in which this duty consists. II. The chief cases in which it is violated. III. The limitations and qualifications applicable to the subject, and useful to guard against misunderstanding.

I. Christian charity consists of several particulars.

1. It requires a conscientious regard to the *temporal* wants and interests of mankind. That branch of Christian charity, however, which consists in pecuniary relief administered to the poor, and which is appropriately called almsgiving, has been so fully discussed, that it will not be enlarged upon in this connexion.* The temporal welfare and interests of mankind consist not merely, nor principally, in the pecuniary acquisitions with which their industry and skill may be rewarded, but much more, and in a much higher sense, in their intellectual and moral culture, in the enlargement of their knowledge, the preservation of their health, in the habits which they acquire, and in personal comfort and improvement of every kind. Charity requires us to wish well to others, in all these respects, and to contribute to their attainment, as occasion and opportunity are presented. In these ways, and in reference to these objects, we may often be of the most essential service to others, without any disservice or even inconvenience to ourselves.

A single suggestion or remark thrown out, in the course of conversation, by a person thoroughly intent on being useful to others, in regard to health, moral habits, education, or the culture of the understanding, has sometimes proved to be ultimately of more value, than the bestowing of thousands of gold and silver. How much do they contribute to the temporal welfare, and interests of mankind, who are instrumental in establishing institutions to promote education and good moral habits in the community to which they belong? It is not extravagant to say, that those who originated, and have urged onward, the temperance reformation in this country, influenced by that charity, which does not selfishly seek her own, have contributed to the highest temporal welfare (to omit all mention of their eternal interests) of hundreds of thousands of their countrymen thus far; and, if they

* See above, pp. 233 - 255.

shall fully accomplish their enterprise, it is not too much to say, that they will benefit, in the highest sense and degree, the estates, the health, the habits, and the morals of millions of this and the coming generations. What charity has ever been more disinterested in its origin, comprehensive in its aim, noble in its object, or exalted in its purpose, than this? What numbers might have been saved to themselves, to their families, and to society, if this enterprise of charity had been undertaken earlier by half a century? The same observations apply, with no diminished force, to the modern system of Sunday School instruction, one of the most unostentatious, but effectual ways of benefiting mankind, that have ever been devised in any age or in any country. No charity is more pure and elevated in its nature, more free from all possible objections, more fruitful in its consequences, or more encouraging in its returns of good, than gratuitous instruction. Many thousands of instructors, influenced by the love of God and mankind, are now imparting the first elements of education to hundreds of thousands of children, and are thus training up multitudes to be useful and respectable in life, who might otherwise, in all probability, be lost to themselves and to society. It would not be difficult to refer to other varieties of that branch of charity which respects the temporal welfare and interests of mankind, if my limits permitted.

2. Christian charity requires a sacred regard to the spiritual and eternal interests of our fellow-men. To aid in the dissemination of our pure and holy religion, among all estates and orders of men, not only in our own country, but throughout the earth, is one of the highest and most indispensable duties of every Christian. Religious instruction is a privilege, which multitudes in this and many other countries cannot procure for themselves; it must, therefore, be provided for them by those, who are sensible of the blessings which Christianity alone can confer, and are impressed with the importance and the duty of imparting Christian instruction to all those who do not, and without their aid cannot, enjoy its benefits. Hunger and thirst must be satisfied at all events, and those, who feel their pain, will be sure, in one way or another, to find the means of satisfying their cravings; but religion, although equally the highest duty and the highest

interest of all men, is not usually felt by the many to be one of those immediate and pressing wants which cannot be neglected.

Many have lived, and many continue to live, in utter neglect of religion. The more, and the longer, too, men live in the neglect of religious duty, and without the benefit of religious instruction, the less inclined are they to seek its privileges and estimate their value. By long habits of inattention, neglect, and indifference, men may become entirely insensible to the claims of religion, and may live and die almost as regardless of the concerns of the life to come, as the beasts that perish. This is true of no very small number who live in Christian lands, and must be almost universally true of those countries, which still sit in "the shadow and darkness" of false religion. No Christian, alive to the destination which awaits all men beyond the grave, who believes that there is a heaven of infinite and unchangeable happiness, and a hell of infinite and never-ending despair, can suppose his duty suitably performed, when he leaves men to proceed thus on the broad road to destruction, without making a single effort to save them from the end to which they are inevitably advancing. It is no sufficient ground on which to excuse ourselves from performing this duty, that persons in this situation are insensible to their danger. If our houses were burning over us, we should not be the less entitled to commiseration and relief, because we might be weighed down by the slumbers of midnight, and insensible to the danger impending over us. In such circumstances, it would be the height of cruelty to refuse or neglect to rouse and rescue us from the falling ruins of our consuming dwellings. No breach of charity can be so great, as to refuse to listen to the spiritual necessities, and consult the spiritual interests, of mankind.

3. Christian charity requires us to manifest a suitable and conscientious regard to the reputation of others. An established character for prudence, sound discretion, and good judgment and integrity, joined with suitable acquirements and skill in the walk of life which we have chosen to pursue, can only be obtained by long and painful efforts, and by persevering labor in acquiring those habits of mind and capacities for action, which are indispensable to usefulness. Difficult of attainment originally,

reputation is equally difficult of preservation when it is attained. Unlike the possession of tangible property, which rests on a stable title, and is effectually protected by the law of the country, reputation is a possession which floats on the slight and airy foundation of public opinion and popular favor ; and is, therefore, subject to the fluctuations of the uncertain element by which it is upborne. It is more valuable than any thing else which we can call our own. Still it is perhaps the most insecure of all human possessions. Frail in its foundation, slight in its structure, and delicate in its materials, it is peculiarly exposed to be injured by secret insinuations, and to be blasted by the poisoned shafts of misrepresentation and slander.

There are certain classes of persons, who, by reason of sex, profession, or other peculiar circumstances in their condition, occupy a position in society so delicate, that the very breath of suspicion is absolute and perhaps irremediable ruin to all their prospects. To their usefulness and happiness it is indispensable, that their characters be, not only without just ground of reproach, but that they be equally above suspicion and above imputation. Such classes of persons are peculiarly exposed to the arts of the disingenuous, the malicious, and the vindictive. Forming their designs in secret, their attacks are unseen and unknown by the victim against whom they aim. Such practices are the very height of both injustice and cruelty. Of injustice, since the victim is accused, he knows not by whom, tried, he knows not when, and condemned, he knows not for what cause ; — of cruelty, because his dearest possessions are taken from him without a crime and by an unseen hand. In this way, hundreds have found public confidence and respect, and even the attachment of their friends, gradually and silently withdrawn from them without any fault of theirs, to the ruin or lasting injury of themselves and all who were depending on them. Before we permit ourselves to assail the reputation of others by misrepresentation and calumny, or to undermine them by imputation and slander, we may well reflect on the value of the possession which we are so willing to destroy. An ordinary self-interest, if any are inaccessible to higher motives, might induce them to abstain from undermining the reputation of others by secret means, inasmuch

as they are themselves exposed to a merciless retaliation through the same means, the use of which they have sanctioned by their practice.

It is to little purpose, that we live in a land where property is rendered secure by the authority of law, where civil freedom is established by the most perfect safeguards, and where equality of legal rights is fully acknowledged, if we may not rely on the society in which we live to secure us, by its sense of justice and rectitude, in the undisturbed enjoyment of our *reputation*; a treasure infinitely more dear than our wealth, or even our civil freedom, and which, as our great dramatic poet says, without enriching him who takes it away, makes us poor in a sense and in a degree in which we can otherwise never be poor. And although we may well believe, that in the end, according to the Divine promise, that "light will arise to the upright in darkness," that "the righteousness of the upright will deliver them," that "to him that soweth righteousness, shall be a sure reward," and that "their righteousness shall eventually go forth as brightness," * still the brightness of the most shining character may long be obscured by the storms and mists of evil surmisings, misrepresentations, and slander.

4. Christian charity requires not only a regard to the temporal and spiritual welfare, and to the characters of others, but also a conscientious respect for their feelings. In uncivilized countries and among rude nations, irregular and precarious supplies of food, scantiness of clothing, and exposure to the inclemencies of the sun and of the storm, constitute the principal sources of suffering. Accustomed from infancy to physical hardships of every name and degree, all the more gentle emotions which dignify and adorn human nature, are extinguished in the stern and revengeful passions which agitate the breasts of savages and barbarians; and those refined feelings and sensibilities, which give the principal charm to cultivated life, are unknown to them, and consequently undervalued by them. If they are relieved from the pains of hunger, thirst, and exposure, if the strength of their arm is acknowledged, and their patience under torture, and their courage in the hour of

* Psalm cxii. 4; Prov. xi. 6, 18; Isaiah lxii. 1.

danger, are unquestioned, they enjoy all the happiness which is known to their state of life. As society advances, agriculture is improved, the arts and sciences flourish, manufactures are invented, commerce is introduced, and physical suffering disappears, or is greatly diminished. In the progress of these advances, the feelings become refined, the sensibilities become cultivated, and, as physical suffering diminishes, these feelings and these sensibilities become sources of suffering in their turn. In the present state of the arts of industry, cases must be very rare, in which any one seriously suffers from hunger, thirst, scanty raiment, or exposure to the elements ; but cases cannot be uncommon in which men suffer very severely by having their feelings and sensibilities injured.

Hence, it may be as great an offence against Christian charity in one age, in one country, and in one state of society, unnecessarily to wound the feelings and sensibilities of others, as it is in another age, another country, and another state of society, to withhold the means of satisfying hunger and thirst, and of supplying raiment and protection from exposure to the elements. An unkind look, a harsh expression, an ungenerous imputation, often causes severe pain. There must be many, to whom unkind suspicions, unfeeling witticisms, and unmerited sarcasms, have given more pain, than hunger, thirst, and exposure, during their entire lives. Malicious persons know this, and never fail to direct their shafts where they will inflict the most acute pain. With the temper which they indulge, it is not strange they should do this ; it is the most effectual of all ways, to render all around them unhappy. Such dispositions, however, in the order of Providence, are never permitted to go unpunished ; their punishment, unlike that of some other offences, is not even delayed for a season ; the very indulgence of such a temper is a most severe retributive punishment. Who has not suffered from the outbreakings of this cruel temper ? Who has not been guilty of visiting others with its inflictions ? Some persons habitually or occasionally do this, who would consider themselves much injured by the charge, that they live in the habitual or frequent violation of Christian charity. Still, who can doubt, that the charge is, with the utmost justice, fixed upon them ?

The truth is, that all pain given to others, which neither answers any good end, nor was designed to answer such end, is a breach of that charity, which, as St. Paul says, is uniformly kind, — kind in her looks, kind in her expressions, kind in her sympathies, kind in her intentions, and kind in all her conduct. How many families must there be in every community, which are in circumstances to enjoy all the happiness that can belong to this life, but which are rendered comparatively unhappy by the prevailing absence of this law of kindness? How many must there be in subordinate situations of every kind, whose allotments in life are of themselves sufficiently humiliating, and who are in this way deprived of much of the small remnant of happiness, which they might otherwise enjoy. And when we reflect how large a part of mankind *must* spend all or most of their lives in the inferior stations, which law, custom, or the rules of society have assigned them, we may form some imperfect estimate of the value of that charity, which is habitually and always kind, and which ought, as a principle of duty, to be practised by parents, instructors, masters, and all other superiors, whose will (discretion) is and must be, in a great measure, the law to which those, who are subordinate to them, are subjected.

5. This duty comprises a suitable regard to the civilities, proprieties, and courtesies of life. This is the meaning of St. Paul, when he says, “Charity doth not behave itself unseemly,” unbecomingly, or indecorously. And he enjoins the same thing, when he says again, “Let all things be done decently (decorously) and in order.”* And St. Peter, exhorting Christians to love as brethren, adds the injunction, “Be pitiful, be *courteous*.”† The manner of St. Paul, towards the magistrates and others whom he had occasion to address, was always decorous and respectful.‡ “Honor all men,”§ is another injunction of St. Peter upon all Christians; and the *courteous* treatment, shown to St. Paul, by Julius and Publius, on his voyage to Rome, is specially noticed by the sacred historian. || When this branch of the subject, therefore, has been commended to our

* 1 Cor. xiv. 40.

† 1 Peter iii. 8.

‡ Acts xxi. 39; xxii. 1–21; xxvi. 1–29.

§ 1 Peter ii. 17.

|| Acts xxvii. 3. xxviii. 7.

notice by Holy Writ, and has been thought worthy of special precepts to secure its observance, we cannot refuse to acknowledge, that it is entitled to our regard. No one will say, that such observances are not a part of Christian duty, when they have claimed the attention of inspired men. The illustration of an old writer is pertinent and well worth transcribing. "By good manners," says he, "I do not mean an insignificant punctuality, and a frivolous exactness in the observation of *little ceremonies*; I mean something of a *higher* nature; I mean an assemblage of moral virtues expressed in an *outward* demeanor; a combination of discretion, circumspection, and civility, submission to our superiors, condescension to our inferiors, and affability to all; more especially a strict regard to decency (*decorum*) in all our actions. For the rules of decency (*decorum*) are the very outworks of respect, and, when they are once broken through, the rest will soon be delivered up as an easy prey; and affection is oftener lost by *little* violations of the rules of *decorum*, than by any *scandalous* and *enormous* faults."*

The truth is, that all human intercourse, of whatever kind, must be made to conform to conventional rules; and these rules constitute the civilities, proprieties, courtesies, and other observances not strictly of a moral kind, the disregard of which, however, St. Paul says, is unseemly in a Christian. No one needs to be informed how much the asperities of life are softened, and its happiness promoted, by a due regard to these observances; or how much unhappiness and how many serious evils spring from the neglect and disregard of them, among those who are required by situation, by duty, and by circumstances to maintain frequent or habitual intercourse with one another. How many heart-burnings, how much coldness and jealousy, ripening too often into open enmities and strife, are prevented by their observance? In the intercourse of husband and wife, parent and child, friend with friend, and even master and servant, *small compliances*, cheerful accommodation to particular wishes, prepossessions, and even prejudices in minor concerns; small sacrifices of personal inclination, practices and attentions costing very little

* Rev. Jeremiah Seed's Sermons, Vol. I. p. 59. London. 1742.

in themselves ; deferences and concessions of slight importance in the sum of happiness and comfort, may serve to establish and maintain ties and relative positions of the greatest consequence to the parties, to perpetuate mutual affections and duties, and the general cordiality, exemplariness, and prosperity of families. To this end, it is even of minor importance how far the desire, temper, or predilection to be complied with, may be reasonable or otherwise, provided it is not in itself wrong. In all these things, sound views of human life and intercourse require unhesitating, uncritical, gracious assent, — at times, studious and watchful anticipation. “Bear ye one another’s *burthens*,” says St. Paul, “and so fulfil the law of Christ,”* where commentators interpret “*burthens*” to mean the errors and failings of each other.

But the positive beneficial results of *small compliances*, however great, are not of so serious magnitude, as the *mischiefs* which the neglect of them usually produces. It prevents the mutual favors and endearments, which sweeten and brighten social and domestic life ; it exasperates petty and accidental griefs and dissatisfactions into general discomfort and aversion ; it gradually embitters and estranges those who would else be tenderly, closely, and profitably united. When this neglect does not occasion total rupture and estrangement, it renders necessary intercourse painful in an increasing degree, and obstructs the salutary influence of essential merits and obligations on one side or the other. How many, who have stood and who continue to stand in the various relations to which I have adverted, feel how much they have lost or gained by their conduct in the point of *small compliances*. The number is considerable, indeed, of husbands, wives, children, and friends, who have thriven or failed in their whole lives according to their conduct in this respect, whose happiness, respectability, final conscience and destiny have been thus deeply affected or entirely determined. The heaviest evils have befallen them, which could never be repaired ; regrets and remorse have been felt, which circumstances rendered perpetual and constantly active. And the aspect of the evil becomes much worse, when it is the case of individuals who have the strongest claims, from nature, religion, and general beneficence,

* Gal. vi. 2.

upon duty, gratitude, and voluntary service. Small irritations in the bodily frame fester and grow, by frequent attrition or neglect, into mortal distempers. So it is in the order and economy of domestic and social life. We must watch the *beginnings*, and not despise the *trifles*, of human life and intercourse. It will not suffice to say, that, because these are small duties, they may be safely neglected by a Christian. A Christian is to fulfil the "law of Christ" by the performance of all duties, small as well as great. And no duty, however small, can be considered without its importance, which materially contributes to the happiness of individuals and families, and to the peace and harmony of society.

6. An eminently patient, calm, peaceable, conciliating, forbearing, unassuming temper and conduct form an essential part of the great duty of Christian charity. St. Paul says, "Charity is not easily provoked, vaunteth not itself, is not puffed up; but beareth all things, endureth all things." To live amidst the conflicts of opinion, interest, and principle which prevail around us, and preserve a temper at all times calm and unclouded, is a task as difficult, as it is necessary to adorn the doctrine of that Saviour, whose perfections are the object of our admiration, as his example is of our imitation. Provocations will sometimes inevitably arise in our intercourse with others, by which our patience, moderation, and forbearance will be put to a severe proof. They are, perhaps, inseparable from our present imperfect state, and may be believed to be designed by a wise Providence, to make trial of the spirit that reigns within us, and as a part of that system of discipline by which we are to be made wise unto salvation.

No one of our passions is more impatient of restraint, more violent in its impulses, more unhappy in its consequences, and, therefore, more destructive of that charity which is the crowning glory of the Christian profession, than anger. When retained and willingly cherished in our breasts, it becomes resentment; and, if still continued and harboured as a guest, it gradually comes to assume the still more dreadful forms of settled hatred, malice, and revenge. Well may we habitually pray for deliverance "from envy, hatred, and malice, and all uncharitableness." Unhappy, indeed, will our case be, if we cherish these formidable inmates in our breasts. In compassion to our infirmities, God has not

required of us never to be angry, but he has required of us not to be angry from slight causes ; and he has unequivocally forbidden the indulgence of all wilfully cherished, and especially all long-continued anger. “ Be ye angry and sin not ; let not the sun go down upon your wrath.”* We are required to forgive an offence “ until seventy times seven,” if the offender manifests regret, and a disposition not to repeat the offence.

In view of the destructive effects which spring from anger, our Saviour has made him, who offers *the first provocation*, principally responsible for the consequences which may result. He declares, that whoever shall use harsh and irritating language, “ shall be in danger of the council, and even of hell-fire.”† And the reason for throwing the chief responsibility for whatever may ensue, on him who first offers provocation, is very plain. Every one, by a small effort of forbearance, can abstain from offering provocation to another ; but, such is “ the infirmity with which we are clothed,” and such is the constitutional temperament with which men are formed, that many cannot be expected to remain unmoved and undisturbed, when *assailed by strong provocation*. The distinction is made by him who “ knew perfectly what was in man,”‡ and who has suited his instructions, in all respects, to the nature, the wants, the circumstances, and even the infirmities of mankind.

II. I proceed to review the chief cases in which Christian charity is violated.

1. This duty is violated, when we permit ourselves to indulge in unjust, unreasonable, and injurious suspicions of the feelings, motives, wishes, and designs of others respecting us.

To give way to unfounded jealousies and suspicions of others, is alike unjust and injurious to them, and ruinous to our own peace and tranquillity of mind. Few passions are more debasing in their influence, than jealousy and suspicion. Like all other passions, too, they grow strong and craving by indulgence, until at length, ever-wakeful and ever-watchful, every look, expression, gesture, and action of others, is seen in the false and gloomy light, which these baleful passions throw around every object.

* Ephesians iv. 26.

† Matt. v. 22.

‡ John ii. 25.

In such a state of mind, every expression, and every action of others, is supposed to have a covert meaning, and this meaning is supposed to refer specially to ourselves. As the imagination, the most active, the most restless, and the most fruitful of all our faculties, furnishes the materials on which these passions subsist, they can never be unsupplied with their appropriate sustenance, and this sustenance, as plentiful as its source is inexhaustible, can never be consumed. If this state of the feelings is permitted to become habitual, the best affections of the heart are gradually extinguished, the most degrading selfishness is harboured, the sensibilities become paralyzed, the sympathies are narrowed, the temper becomes gloomy, stern, and perhaps vindictive ; the entire aspect of the man is settled gloom and disappointment ; the understanding, laboring under the pressure of these accumulated and uncongenial burthens, loses its wonted strength and energy, and the entire character is changed, infected, and, in regard to all the useful purposes of life, is fallen into ruins.

Nor is this all. The man of a suspicious temper soon comes into the habit of seeing nothing just, amiable, or attractive, in the conduct and characters of those around him. Feeling himself unsocial and suspicious towards all other men, and prompted by a distorted imagination, ever more and more fruitful in evil surmises, he perceives nothing in the conduct of those about him, but proofs of motives, feelings, wishes, and intentions, unfriendly to him, his family, his reputation, and his interests.

Nor is even this all, strong as may be the picture which has been drawn. It has been remarked by close and careful observers of mankind, that habitual jealousy and suspicion of others, joined with an impression, however unfounded and imaginary, that others are unfriendly to us, have a direct and almost inevitable tendency to render them such, if they were not such before. There is unquestionably much foundation for this remark, and it is not difficult to explain why it is thus. In our intercourse with others, however much we may be accustomed to practise disguise, it is impossible entirely to conceal our feelings from them ; and when our minds are habitually infected with ungenerous suspicions, unfounded jealousies, and the host of dark passions which are always their offspring, it is inevitable that these

passions should be seen through any disguise which it may be in our power to assume, and that, being thus seen, they should produce coldness, alienation, and disgust, in those with whom we may meet occasionally, or with whom we may be accustomed familiarly to associate. In this way, many men, in every community, have gradually found themselves, without expecting, much less intending, such a result, at variance with every neighbour, and, perhaps every relative, solitary in the midst of a virtuous and cultivated society, consumed and destroyed by jealousy and suspicion, which (instead of banishing when they felt its first risings) they have unhappily, unwisely, nay, criminally permitted themselves to entertain, foster, and cherish. "Jealousy," says the wisest of men, "is cruel as the grave; the coals thereof are coals of fire."* These burning coals of jealousy and suspicion will consume the breast of every one, who does not smother them at their first kindling. And when we consider the animosities, bitterness, and strife, which frequently infest neighbourhoods, and sometimes divide and distract even members of the same family, and when we further reflect, that these open enmities usually have their beginning in jealousy and suspicion, we may understand the importance of the rule of Christian charity, which forbids us to indulge in jealousies and suspicions of the motives and designs of our relatives, associates, and neighbours.

It is our duty towards others, and it is the only line of conduct consistent with our own happiness, to presume, that the feelings and designs of others respecting us are such as we could wish them to be, until the contrary unequivocally appears. In truth, if we assume this as the rule of our conduct, we shall not often find ourselves disappointed in the result. Men will not often be wanting in regard for us, if we have not, in some way, been first wanting to ourselves. It is probable, that there is no one cause of a suspicious temper so frequent, as a secret conviction, that every thing is not with us, as we are conscious it should be. And, if we find ourselves very much given to jealousy and suspicion, it may be well for us to examine our

* Cant. viii. 6.

conduct strictly, and see if some part of it has not been such, as justly to raise in us some misgivings, that our suspicious temper may have its origin in a consciousness of misconduct. At all events, it is better, a thousand times, to be occasionally and even frequently mistaken in respect to others, and even deceived by them, than to permit our breasts to be made the seat of such painful, corroding, and debasing passions.

2. Again, this duty is violated, when we attribute to improper motives and designs, actions and expressions, for which, with equal ease and entire consistency, good motives and good designs may be assigned. Much of the conduct and many of the expressions, in use among men, are capable of more than one construction, according as they are set in different lights, and presented in different points of view. There is scarcely any transaction, however fair, which may not be misunderstood and misrepresented ; and scarcely any form of expression, the meaning of which may not be distorted and perverted by the all-transforming power of prejudice.

Hence, occasions are perpetually occurring suited to test our candor, equity, and charity. Even in private life, but more especially on the great stage of public life, we habitually see the same line of conduct approved or condemned by those around us, according to the opinions they have formed, the predilections they entertain, the views they wish to promote, or the individuals they desire to advance. Parties spring up in literature, in science, in religion, in government, and on every other important subject. In such cases, we are accustomed to see men equal in respect to knowledge, and whose uprightness has been tested by a long life of virtue, and perhaps of piety, not only differing, but, indeed, embracing directly opposite views of truth and duty. To what can such differences, thus amounting sometimes to contrast, be ascribed, but to the influence of prejudice, interest, and passion over the minds even of those men, whose aims are sincere, and whose intentions are upright? When such men fall into injurious errors and mistakes, misled by the force of prejudice and passion, well may we acknowledge the claims of the rule and adhere to it on all occasions, which re-

quires us to ascribe the conduct of others to the best motives and the best designs of which they are susceptible.

Every neighbourhood has its divisions arising from differences of opinion, of principle, of interest, and of personal attachment and preference. The spirit which influences and directs all such divisions, of whatever kind and of whatever name they may be, is essentially the same. In each and every case, the opposers of an individual can see, in his motives and conduct, nothing which is not improper and worthy of reprehension; while his partisans see, in the motives and conduct of the same individual, nothing which is not pure and praiseworthy. Manifold illustrations of this kind are seen in the history of every country, and even in the small transactions of every district and neighbourhood. This is one of the ways, by which misunderstandings are encouraged, animosities spring up, the freedom and cordiality of private intercourse are disturbed, and the general peace and tranquillity are put at hazard. It is not necessary to say, that all this is in direct contradiction to the spirit and letter of that Christian charity, which, as St. Paul says, “thinketh no evil” of others.* It is equally contrary to the golden rule “of doing to others, that which, in like circumstances, we could wish them to do to us.” It is, moreover, at variance with right reason. All these require us to ascribe to others good motives and good designs, when such motives and such designs are not manifestly inconsistent with their language and conduct. If this equitable rule, equally enjoined by Christianity and right reason, were generally practised, how much of the public and private conduct of many individuals would be approved, which, under the distorting influence of prejudice, passion, and interest, is condemned in the most reproachful terms? Human motives and designs are known to us only by conjecture, except so far as we are made acquainted with them by the professions and actions of those to whom they are ascribed; and, when they have explained their motives and designs, these ought to be admitted as true and genuine, unless they are at open and manifest variance with their conduct. Then, indeed, we have no choice left us; since, when the professions of men convey one

* 1 Corinthians xv. 5.

meaning, and their conduct another, the latter is and must be our authentic guide to a knowledge of their real motives and designs.

3. Christian charity is violated, when we give a willing ear and an easy belief to whisperings, evil surmises, misrepresentations, slanders, calumnies, abuse, and invective against others. A free intercourse with others on easy and confidential terms is highly agreeable, instructive, and useful, and contributes essentially to the happiness and value of life itself. Intercourse of this valuable and profitable description is founded on a conviction of the goodwill, justice, humanity, moderation, integrity, sound discretion, and rectitude of intention of the society in which we live; and especially of the circle with which we associate.

As mutual confidence is the bond of this intercourse so indispensable to the happiness and value of life; any and every practice, which tends to relax and destroy this great moral tie, must be highly injurious to the general tranquillity and welfare of mankind. It becomes, then, the common duty and interest of all, to unite in suppressing any practices which have a tendency to disturb the harmony of social intercourse, and to impair or destroy the benefits which it is fitted to confer on all. To infuse suspicions, to kindle or inflame controversies, to avert the favor and esteem of benefactors from those who are depending on them, to render those whom we dislike contemptible in the public opinion, are all offices of slander; and, if the guilt of such practices is measured by the extent and severity of the suffering produced, the authors of such offences cannot fail to be esteemed highly criminal. The disguises under which slander is frequently conveyed, whether with injunctions of secrecy, in a whisper, under pretence of caution, or with affected reluctance, are all so many aggravations of the offence, since they indicate more deliberation and design.*

It would be the most effectual of all discouragements to the slanderer, to find persons generally or universally disinclined to listen to his conjectures, insinuations, and evil surmisings. The appetite for collecting and retailing slanderous news and tales is fed by the ready listening and apparent satisfaction, with which

* Paley's Moral and Political Philosophy, p. 164.

such news and such tales are too often received. It may be well for us to recollect, that, when we give persons of this description our countenance and encouragement by listening to their narratives, and especially by manifesting an interest in them, we become ourselves, inasmuch as we give encouragement, participators in this odious offence.

4. This duty is still more violated, when we willingly give currency to such insinuations, slanders, and calumnies, without much or any inquiry into their truth, and without regard to the consequences of our conduct. The mischief of insinuations, slanders, and evil surmises would be comparatively small, if they could be arrested with their authors, and were not permitted to gain currency by repetition.

The mistake is sometimes made, of supposing, that, while the guilt of the original slanderer and calumniator is distinct and palpable, the offence of those, who repeat their slanders in the ears of others, is small. But neither Scripture nor right reason recognises much distinction between these two cases. Slander sometimes proceeds from malice and sometimes from inconsideration ; and, as far as there is a difference of motive, a distinction may be drawn between the malicious and the inconsiderate slanderer. It may be admitted, too, that the repetition of slander is less likely to proceed from malice, than the original invention of it. Still, since every man is responsible for the consequences of his expressions and actions, so far as he foresaw them, or might have foreseen them, and since the consequences of the invention and the repetition of slander are the same, the difference must be regarded as slight and unworthy of much attention.

Accordingly the sacred writers regard tale-bearing as an offence of the same description with slander. As early as the time of Moses, neighbourhoods and societies had begun to be disturbed by slander and tale-bearing. He enjoins upon the Hebrews, “Thou shalt not go up and down as a tale-bearer among thy people.”* Again, “A whisperer separateth chief friends.” † “Whoso privily slandereth his neighbour, him will I cut off.” ‡ And again, “Where there is no tale-bearer, the strife ceaseth.” §

* Lev. ix. 16.

† Prov. xvi. 28.

‡ Psalm ci. 5.

§ Prov. xxvi. 20.

The cases are numerous, in which we consider the participators scarcely inferior in guilt to the original author and mover ; and in no instance, perhaps, can this principle be more justly applied, than in regard to the circulation of slander. It stirs up strife and sows the seeds of bitterness in villages and neighbourhoods otherwise peaceful ; renders long-standing enmities tenfold more rancorous ; scatters discord among those whose duty and interest require them to cultivate the best understanding ; and foment misunderstandings and quarrels, not seldom terminating in the destruction of life, and the overwhelming affliction of the most innocent and virtuous families. It was in reference to the evil springing from slander, in its various forms and degrees, of evil surmises, whisperings, insinuations, calumnies, and abuse, that Solomon said, "These six things doth the Lord hate ; yea, seven are an abomination unto Him ; a proud look, a lying tongue, and hands that shed innocent blood, an heart that deviseth wicked imaginations, feet that be swift in running to mischief, a false witness that speaketh lies, and *he that soweth discord among brethren.*"* Surely we must be convinced, that slander is a high offence against Christian charity, when it is ranked, on Divine authority, with falsehood, perjury, and murder.

5. This duty is violated, when we give circulation to *truths* of a slanderous and abusive nature, if such circulation is not given from *good motives, and for a justifiable purpose.*† It has been sometimes supposed, that the *circulation of truth* cannot be slander, and it is perhaps natural for the unreflecting to make such a mistake as this. It may be admitted, that there is this distinction between truth and falsehood circulated with slanderous designs, that, while the former is simple slander, the latter combines the twofold offence of falsehood and slander. Still, as truth may be, and often has been, used for slanderous and malicious purposes, every statement, however true, which is made to the disadvantage of any person, when we have *no good object and no justifiable end in view* in making such statement, is slanderous. It may not be positively and unequivocally malicious, but it argues a criminal want of regard to the conse-

* Proverbs vi. 16 - 19.

† See above, p. 269.

quences of our conduct, and a reckless indifference to human suffering and injury. There may unquestionably be a degree of levity, carelessness, and thoughtlessness, in regard to the circulation of truths of a slanderous nature, when no good object is designed by it, between which and malicious slander it would be difficult to draw any well-marked distinction. The effects are the same; the difference in the motive cannot be very considerable.

6. This duty is violated further, when we condemn persons whom we do not know, and customs and institutions, the character and reasons of which we do not understand. Any condemnation of this kind must be on the ground of rank prejudice. To permit ourselves to entertain prejudices against persons whom we do not know, and with whose merits or demerits we have had no suitable opportunity to become acquainted, is by no means uncommon, unjust and uncharitable as it unquestionably is. We receive these unjust prejudices from those around us, and, instead of discarding them, as we ought, at once, we are too apt to permit them to fix themselves in our minds, and to judge and act under their influence. It is the rule of law, that every man shall be considered innocent, until he has been legally proved guilty of the offence alleged against him; and we are accustomed to admire this rule for its spirit of justice and equity, and to rely on it as a safeguard. It is, in truth, the very perfection of justice and equity within the sphere of its rightful application. The spirit of this admirable rule may be transferred to the present subject. Christian charity requires us to divest ourselves of all bias, prepossession, and prejudice, and particularly of all aversion, disgust, and antipathy to others, for which we can give no good and satisfactory reasons. And, even in case the very best reasons exist for entertaining these feelings towards any one, they ought to have reference to his character, and not to his person.

So again, with respect to the customs and institutions with which we are not acquainted, and the reasons of which, therefore, we do not understand. To condemn such customs and institutions without understanding them is alike narrow-minded and uncharitable. The fair presumption always is, that the customs

and institutions of every country are suited to the wants and the convenience of such country, and, therefore, they are not a just subject either of ridicule or reproach. There may be very good reasons for them, originating in the climate, state of society, or other circumstances which we may not understand. It may be affirmed further, that there are few institutions in any country, which, when the reasons of them are carefully inquired into, and candidly weighed, will not be found to be justified by those reasons. This may be illustrated by adverting to the different forms of government which have prevailed in the world. Government is one of the chief institutions, which men have labored to establish and bring to perfection. No one form is suited to the condition of all nations; every nation is entitled to select its own form; and it may well be presumed, that every nation has in fact selected the form best suited to its wants and circumstances. This is the ground taken by the Divine author of Christianity. Our Saviour rendered to Cæsar the things that belonged to Cæsar,* and both St. Paul and St. Peter inculcate upon all Christians obedience and respect to the governments under which they live.†

Indeed, I believe it will be found upon examination, that our Saviour, his Apostles, and other early preachers of Christianity, uniformly paid respect to the customs and institutions, both of the Jews and heathen, to whom they addressed themselves, except so far as those customs and institutions were inconsistent with the religion which they preached, and the morals which were an essential part of this religion. On these great subjects, indeed, they were inflexible, — on them, they admitted no compromise. No form of idolatry could obtain the slightest indulgence or toleration; and “whatsoever defileth and maketh a lie” was unsparingly denounced, and universally and unhesitatingly condemned.

III. We have seen, that Christian charity requires of us, not only a regard to the temporal and spiritual welfare of mankind, but, also, a suitable regard for the characters, feelings, and sensibilities of others, and an eminently peaceable and conciliating

* Mark xii. 17.

† Romans xiii. 1–7; 1 Peter ii. 13–17.

temper and conduct. We have seen, too, that charity is violated, when we indulge in unjust and unreasonable jealousies and suspicions of the motives and designs of others ; when we attribute to unworthy motives and designs, actions and expressions, for which, with entire consistency, we might assign good motives and upright designs ; when we lend a willing ear and an easy belief to insinuation and slander in any of its manifold forms ; when we willingly give currency to misrepresentation and slander without inquiry into their truth, and without regard to the consequences of our conduct ; when we give circulation to truths suited and designed to injure others, from unworthy motives, and without having any good purpose in view ; and when we condemn persons whom we do not know, and customs and institutions which we do not understand. As in all other similar cases, however, there are circumstances and considerations by which this duty *is limited and qualified*, and it only remains to consider what these limitations and qualifications are.

1. Christian charity does not require us to have a good opinion of others, in opposition to evidence well weighed and carefully examined, and comprising a full and fair view of their sentiments and conduct. A full and accurate acquaintance with the characters of those around us is one of the most valuable branches of our knowledge, and is often equally requisite to our safety, and indispensable to the suitable discharge of our duty. To this end, we must observe carefully their sentiments and conduct, and weigh and examine well the evidence to be seen in the incidents and circumstances which present themselves.

The mistake is sometimes made, of supposing that it is the office of charity to look with indulgence, if not with favor, on the faults and offences of mankind. But Christian charity is not a weakness ; and any such view of its nature does the utmost injustice to this sublime and exalted virtue. Charity is always sincere and candid, and her best wishes are extended to all. When any one of fair and honest report is accused of any offence, she receives the accusation with reluctance, and ventures to hope that it may prove unfounded. She is cautious in receiving and careful in examining the evidence which may be urged against him ; and, “ not rejoicing in iniquity, but *rejoicing in the*

truth,” she is gratified when the truth demands his acquittal and the approval of his conduct. At the same time, when the evidence is clear, and the offence is manifest, she yields her conviction, feeling that the opposite course would be to countenance sin and uphold iniquity. Still, while she condemns the sin that has been committed, she does not withdraw her good-will from the *sinner*, but holds herself ready to do him any service, which propriety admits and his necessities require.

2. Charity does not require us to receive the professions and statements of others without suitable inquiry and examination. We are all familiar with the influence, which prejudice, passion, and interest have over the opinions, sentiments, and conduct of mankind. Even the best men are, in a greater or less degree, swayed by their influence ; and, not unfrequently, this is unknown to themselves. Strong passion absorbs, for the time, all the reasoning faculties of the mind, and its blinding effect is as extensive as it is unquestionable. Prejudice imparts its own hue to every object and to every person ; and men have always found it most difficult to be convinced, that the way of rectitude can be any other than the way of their own interests. It is, then, no breach of that “charity which thinketh no evil,” to receive the professions, opinions, and statements of others with a wise and prudent caution.

3. Christian charity does not require us, when wrongs are practised on us, to submit to them without *resistance, made at a suitable time, and in a suitable manner and spirit*. Living amidst collisions of opinion and prejudice, passion and interest, it is inevitable, that we should sometimes suffer wrong. And it has sometimes been supposed to be the duty of Christians *to make no resistance to wrong under any circumstances*. When injuries are slight, it is our duty to pass them by with slight notice, or without any notice at all. When they are of serious magnitude, this course often becomes impossible. St. Paul’s injunction, “If it be possible, as much as lieth in you, live peaceably with all men,”* contains an indirect admission, that this is not always possible. The precepts contained in St.

* Romans xii. 18.

Matthew's Gospel, to turn the other cheek when one has been smitten, to go the second mile with him who has compelled you to go one, to give to him that asketh, to lend to him that would borrow of you, and to give your cloak to him who by process of law has taken your coat, * are to be understood as *proverbial sayings*, describing the general duties of benevolence and forgiveness, and the temper which we ought to aim at acquiring, rather than as rules for the *literal direction* of our conduct. They are extremely valuable for *the disposition* which they inculcate ; but a specific compliance with them could not be important, and would be impossible. When, for instance, upon being struck on the one cheek, we are directed to turn the other, it cannot have been the meaning of our Saviour, that we should *literally* invite another blow ; for, when struck himself by an officer, in the palace of the high priest, we find that he rebuked him with becoming spirit, saying, " If I have spoken evil, bear witness of the evil ; but, if well, why smitest thou me ? " †

The rule of non-resistance under any circumstances, would subject the mild, the patient, and the peaceable to the will and caprice of the strong, the rapacious, and the overbearing. So those passages, which seem arrayed against lawsuits, must be understood as directed against a litigious spirit, and as enjoining that forbearance which will consent to be wronged in a supportable degree, rather than engage in strife and contention. St. Paul resorted to the laws of his country, and took refuge in his privileges as a Roman citizen, against a conspiracy of the Jews, and against the violence of the chief captain of the Roman soldiers. ‡ When, however, we make resistance to wrong, of whatever kind or degree, our religion requires us most carefully to guard against permitting ourselves to be influenced by angry and vindictive motives. §

I have thus treated the forgiveness of injuries and Christian charity at considerable length ; 1. Because they are not only the chief duties of the Christian, so far as his neighbour is concerned, comprising, in a certain sense and measure, every other

* Matt. v. 38 - 42. † John xviii. 15 -- 23. ‡ Acts xxii. 25 ; xxv. 11.

§ Seed's Sermon before the University of Oxford, 1733 ; p. 7. — Sermon on Christian Forbearance, by Dr. Griffin.

Christian duty and virtue ;* but they strike at the root of almost all, if not quite all, the vices and evils enumerated at the beginning of this Part. † 2. Because, where it was impossible, as it is in an elementary treatise of Moral Philosophy, to treat all the Christian virtues separately, I have still thought it well to analyze, expand, and illustrate, as I might, and as a specimen, two, and these the most fundamental, of the Christian virtues.

CHAPTER III.

INTEMPERANCE IN DRINKING.

I USE this phrase in preference to drunkenness, as being more comprehensive, and otherwise more suited to the purpose which I have in view. I shall treat the subject under four divisions. I. The nature and occasions of intemperance. II. The signs. III. The evils. IV. The remedy.

I. The more common apprehension is, that nothing is intemperance, which does not supersede the regular operations of the mental faculties and the bodily organs. However much of spirituous liquors a man may consume, if he can command his understanding, his utterance, and his bodily members, he is not usually reputed intemperate. And yet, drinking within these limits, he may be intemperate in respect to inordinate desire, the quantity consumed, the expense incurred, the present effect on his health, his temper, and his moral sensibilities ; and, what is more, in respect to the ultimate and almost inevitable results of bodily and mental imbecility, or habitual drunkenness.

A multitude of persons, who are not accounted drunkards, create disease and shorten their days, by what they call a “prudent use of spirituous liquors.” Let it, therefore, be engraven upon the heart of every man, *that the daily use of spirituous liquors, in any form, or in any degree, is intemperance.* Its effects are certain and deeply injurious, though its results may

* Matt. xxii. 39, 40 ; 2 Peter i. 7 ; Coloss. iii. 14. † See above, p. 370.

be slow in showing themselves, and may never be ascribed to the real cause. If all diseases which terminate in death, could speak out at the grave, or tell their origin upon the coffin-lid, we should witness the most appalling and unexpected disclosures. Happy the man, who so avoids the appearance of evil, as not to shorten his days by what he may call *the prudent use of spirituous liquors*.

A sin so odious in its nature, and so fatal in its consequences, should be detected in its origin and strangled at its birth; but ordinarily, instead of this, the habit is fixed, and the hope of reformation is gone, before the subject has the least suspicion of danger. It is of the last importance, therefore, that the various occasions of intemperance should be clearly described, that those, whose condition is not irretrievable, may perceive their danger and escape, and that all, who are free, may be warned against such occasions of temptation and ruin. For the benefit of the young, especially, I propose to lay down a map of the way to destruction, and to wave a signal of warning upon every spot where a wayfaring man has been ensnared and destroyed.

1. The first occasion of intemperance, which I shall mention, is found in the free and frequent use of spirituous liquors in the family, as an incentive to appetite, an alleviation of lassitude, or an excitement to cheerfulness. In these reiterated indulgences, even children are allowed to partake, and the tender organs of their stomachs are early perverted, and predisposed to habits of intemperance. No family, it is believed, accustomed to the daily use of ardent spirits, ever failed to plant the seeds of that dreadful disease, which sooner or later produced a harvest of woe. The material of so much temptation and mischief ought not to be allowed a place in the family, except as a medicine, and even then it would be safer in the hands of an apothecary, to be sent for, like other medicines, when prescribed.

2. Spirituous liquors, given in the way of hospitality, are not unfrequently the occasion of intemperance. In this case, too, the temptation is habitual. The utensils are present, and the occasions for their use are not unfrequent. And, when there is no guest, the sight of the liquor, the state of the health, or even lassitude of spirits, may indicate the propriety of the "prudent

use," until the prudent use becomes, by repetition, habitual use, and habitual use becomes irreclaimable intemperance. In this manner, unquestionably, has many a father and mother, and son and daughter, been ruined for ever. Of the guests, too, who partake in this family hospitality, the number is not small who become ensnared ; especially among those whose profession calls them to visit families often, and many on the same day.

3. Days of public assembling are extensively the occasions of excess which eventuates in intemperance. The means and temptations are ostentatiously multiplied, and multitudes go forth prepared and resolved to yield to temptation, while example and exhilarated feeling secure the ample fulfilment of their purpose. But, when the habit is once acquired of drinking, even moderately, as it will be called, on all the days of public assembling which occur in a year, a desire will soon be formed of drinking at other times, until the healthful appetite of nature is superseded by the artificial thirst produced by spirituous liquors.

4. In the same class of high temptations are to be ranked all convivial associations for the purpose of drinking, with or without gaming, and late hours. There is nothing which young men of spirit fear less than the exhilaration of drinking on such occasions ; nor any thing which they are less able to resist, than the charge of cowardice when challenged to drink. But there is no one form of temptation before which more young men of promise have fallen into irretrievable ruin. The connexion between *such beginnings and a fatal end* is too manifest to require illustration.

5. Feeble health and mental depression are to be numbered among the occasions of intemperance. Sinking of the spirits, and muscular debility, and mental darkness are, for a short time, alleviated by the application of stimulants. But the cause of this momentary alleviation is applied and repeated, until the habit of excessive drinking is formed, and has become irresistible. Spirituous liquors, too, administered in the form of bitters, or as the medium of other medicines, have sometimes let in the destroyer ; and medical prescriptions have thus contributed, without doubt, to increase the number of intemperate drinkers.

6. The distillation of ardent spirits never fails to raise up around the establishment a generation of drunkards. The cheap-

ness of the liquor, and the ease with which families can provide themselves with large quantities, the product of their own labor, eventuate in frequent drinking and wide-spread intemperance. In like manner, the vending of ardent spirits, whether in places licensed or unlicensed, is a most afflicting evil. Here those, who have no stated employment, loiter away the day for a few potations of strong drink ; and here those, who have finished the toils of the day, meet to spend a vacant hour ; none content to be mere spectators. All drink, and few, for any length of time, drink temperately. Here, too, the grown-up children of the neighbourhood, drawn by enticements, associate for social drinking, and the exhibition of feats of courage and premature manhood. The continued habit of dealing out spirituous liquors, in various forms and mixtures, leads, also, to frequent tasting, tasting to drinking, and drinking to drunkenness.

7. A resort to ardent spirits as an alleviation of trouble results often in habits of confirmed intemperance. The loss of friends, perplexities of business, or the wreck of property, bring upon the spirits the distractions of care and the pressure of sorrow. Under these circumstances, resort is had to the exhilarating draught ; but, before the occasion for it has ceased, the remedy has converted itself into an intolerable disease. Spirituous liquors, moreover, employed to invigorate the intellect, or to restore nature, exhausted under severe study, have sometimes proved a fatal experiment. Mighty men have been cast down in this manner, never to rise. The quickened circulation does, for a time, invigorate intellect and restore exhausted nature. The adventitious energy imparted, however, impairs the native energy of the mind, and induces that faintness of heart and flagging of the spirits, which cry incessantly, " Give, give," and never, but with expiring breath, say, " It is enough."

8. But the use of ardent spirits, employed as an aid to sustain labor, has been among the most fatal, because the most common and least suspected, causes of intemperance. It is justified as innocent, it is insisted on as necessary ; but no fact is more completely established by experience, than that it is utterly useless and ultimately injurious, besides all the fearful evils of habitual intemperance, to which it so often leads. *It is well settled, that*

there is no nutriment in spirituous liquors. All the effect of them, is, to concentrate the strength of the system for the time, beyond its capacity for regular exertion. It is borrowing strength for the present occasion, which will be needed for the future, without any provision for payment, and with the certainty of ultimate bankruptcy.

II. The signs of intemperance. In the early stages of intemperance, reformation is practicable. The misfortune is, intemperance is a sin so deceitful and ensnaring, that most men go on to irretrievable ruin, amidst many warnings, indeed, but these are to little or no purpose, because they do not understand their voice. It is of vast importance, therefore, that the symptoms of intemperance should be universally and familiarly known. The effects of the habit upon the body and upon the mind should be so described in all its stages, from the beginning to the end, that every one may see, and feel, and recognise these harbingers of ruin, as soon as they *begin* to show themselves upon him.

1. One of the early indications of intemperance may be found in the associations of time, place, and person. In the commencement of this evil habit, there are many who drink to excess only on particular days, such as days of military display, the anniversary of our Independence, the birth-day of Washington, new year's day, and others of the like nature. When any of these holidays arrive, they bring with them, to many, the insatiable desire of drinking, as well as, it would seem, a sort of dispensation in their opinion, from the sin. There are others, who feel the desire of drinking stirred up within them by the associations of place. They could go from end to end of a day's journey without ardent spirits were there no taverns on the road. But the very sight of these "refuges of pilgrims," awakens the desire "just to step in and take something." And so powerful does this association become, that many will no more pass the tavern, than they would pass a fortified town, with all the engines of death pointed against them. There are in every city, town, and village, places of public resort, which, in like manner, as soon as the eye falls upon them, create a thirst for drinking; and many, who, coming on business, pass near them, pay toll at them as regularly as at the gates; and this, too, in returning as well as in

coming. In cities and their suburbs, there are hundreds of shops, at which a large proportion of those who bring in produce, stop regularly to receive the customary draught. In every community, also, we may observe *particular persons*, who can never meet each other without feeling the simultaneous appetite for strong drink. What can be the reason of this? All men, when they meet, are not affected thus. Whoever, then, finds himself tempted, on meeting his companion or friend, to drink what he may call a social glass, ought to understand, that he discloses his own inordinate relish for ardent spirits, and indirectly accuses his friend of intemperance.

2. A disposition to multiply the circumstances, which furnish the occasions and opportunities for drinking, may justly create alarm, that the habit is begun. When persons find occasions for drinking in all the variations of the weather, because it is so cold or so hot, so wet or so dry; and in all the various states of the system, when they are vigorous that they may not be tired, and when tired that their vigor may be restored, they have approached *near to that state of intemperance* in which they will drink in all states of the weather, and in all conditions of the body, and will drink with these pretexts, and drink without them, whenever their frequency may not suffice.

3. Whoever finds the desire of drinking spirituous liquors *returning daily at stated times*, is warned to deny himself instantly, if he intends to escape confirmed intemperance.

It is infallible evidence that a person has already done violence to nature, that the undermining process is begun, that the over-excited organs begin to flag, and cry out for adventitious aid, with an importunity, which, if indulged, will become more deep-toned, and importunate, and irresistible, until the power of self-denial is gone, and he is a ruined man. It is here, then, — beside this *commencing vortex*, — that I would take my stand, to warn off the heedless navigator from destruction. For this is the parting point, between those who flee from danger and hide themselves, and the foolish who pass on and are punished. He who escapes *this periodical thirst of times and seasons*, will not be a drunkard, as he who comes within the reach of this powerful attraction must retrace his steps, to escape destruction. It

may not be certain, that every one who does not return will become a sot ; but it is certain, that he will enfeeble his body, generate disease, and shorten his days. It may not be certain, that every one will sacrifice his reputation, or squander his property, and die in a hospital ; but it is certain, that a large proportion will come to poverty and infamy, of those who yield daily to the periodical appetite for ardent spirits. Here is the stopping-place ; and though beyond it men may struggle, and retard, and modify their progress, few, comparatively, who go by it, will return again to purity of enjoyment, and the sweets of temperate freedom. The servant has become the master, and, with a rod of iron and a whip of scorpions, he will torment them even before their time.

4. Another sign of intemperance may be seen in the desire of concealment. When a man finds himself disposed to drink more often and more in quantity than he is willing to drink in presence of his family, and before the world, and begins to drink clandestinely and in secret places, he betrays a consciousness that he is disposed to drink more than to others will appear safe and proper ; and what he *suspects* others may think, he ought to suppose they have *cause* to think, and reform instantly. For now he has arrived at a period in the history of intemperance, where, if he does not stop, he will hasten on to ruin with accelerated steps. So long as the eye of friendship, and a regard to public observation, kept him within limits, there was some hope of reformation ; but, when he cuts this last cord, and launches forth alone with his boat and his bottle, he has committed himself to mountain waves and furious winds, and will probably never return.

5. When a man allows himself to drink always in company, as much as he thinks he can bear, without awakening in others the suspicion of inebriation, he will deceive himself, but no one else. For abused nature herself will publish the excess in the bloated countenance, and flushed visage, and tainted breath, and inflamed eye ; and, were all these banners of intemperance struck, the man, with his own tongue, will reveal his shame. At first there will be something strange in his appearance or conduct, to awaken observation, and induce scrutiny ; until at length, with all his care and adroitness, in some unguarded moment he will take more than he can bear. And now the secret is revealed, and these

unaccountable things are explained. These exposures, too, will become more frequent, the unhappy man still dreaming, that, though he erred a little, he took such good care to conceal his error, that no one knew it but himself. He will even talk when his tongue is palsied, to ward off suspicion, and thrust himself into company, to show that he is not drunk.

6. Those persons who find themselves, for some cause, always irritated when efforts are made to suppress intemperance, and moved by some instinctive impulse to make opposition, ought to examine instantly, whether the love of ardent spirits is not the cause of it. An acute observer of human nature once remarked, "I never knew an attempt made to suppress intemperance, which was not opposed by some persons, from whom I should not have expected opposition; and I never failed to find, first or last, that those persons were themselves implicated in the sin. Temperate men seldom, if ever, oppose the reformation of intemperance."

7. We now come to some more miscellaneous, but at the same time, still more decisive symptoms of intemperance, which abused nature, first or last, never fails to give. "Who hath redness of eyes," asks the sacred writer; he answers, "They that tarry long at the wine; they that go to seek mixed wine."* Every man who is accustomed to drink ardent spirits freely, whose eye begins to redden and to weep, ought to know what the matter is, and to take warning; it is one of the signals which distressed nature holds out and waves in token of distress. Another indication of intemperance is found in the fulness and redness of the countenance. Such a countenance is easily distinguished from the fulness and freshness of health, and no free drinker carries such a face without a guilty and specific cause. It is another signal of distress which abused nature raises, while she cries for help. Impaired muscular strength and tremor of the hand are still further indications of intemperance. *Now* the destroyer, in his mining process, approaches the citadel of life, and is advancing fast to make the keepers of the house tremble, and the strong men bow themselves. This relaxation of the joints and trembling of the nerves will be experienced especially

* Proverbs xxiii. 29, 30.

in the morning, when the system unsustained by the usual stimulus has run down. Now all is relaxed, tremulous, and faint-hearted. The fire, which sparkled in the eye the evening before, is quenched ; the courage, which dilated the heart, is passed away ; and the tones of eloquence, which dwelt on the excited tongue, are turned into pusillanimous complainings, until brandy, or bit-
ters, or both, are thrown into the stomach to wind up again the run-down machine. And now, the liver begins to contract, and refuses to perform its functions ; loss of appetite ensues, and indigestion, and fermentation, and acidity begin to rob the system of nutrition, and to vex and irritate the vital organs, filling the stomach with air, and the head with fumes, and the soul with darkness and terror. These are physical indications of intemperance not to be mistaken ; but there are others of a mental kind, no less decisive.

One of these indications of a mental kind is, excessive irritability, petulance, and violent anger. The great organ of nervous sensibility has been brought into a state of tremulous excitement. The slightest touch causes painful vibrations and irritations, which defy self-government. The temper becomes like the flash of gunpowder, or ungovernable as the helm driven hither and thither by raging winds and mountain waves. Another mental indication of intemperance is seen in the extinction of all the finer feelings and amiable dispositions of the man. The fiery stimulus has raised the organ of sensibility above the power of excitement by motives addressed to the finer feelings of the sensitive and moral nature, and has left the man a prey to animal sensation. You might as well fling out music upon the whirlwind, to stay its course, as attempt to govern the storm within, by addressing the gentler feelings of humanity. He is left the mere wreck of what he once was. He is not the same husband, father, brother, or friend. The sea has made a clear breach over him, and swept away for ever whatsoever things are pure, lovely, and of good report.

The habitual irritation of the stomach, at length, extends by sympathy to the lungs, and a consumption ensues. The fumes of the scalding furnace below begin to lacerate the throat, and blister the tongue and the lip. Moreover, rheumatic pains diffuse

themselves throughout the system. The man wonders what can be the reason, that he should be visited by such a complication of diseases, and betakes himself again and again to the physician, and tries every remedy but the simple one of temperance. For these pains are only the murmurings and complainings of nature, through all the system, "giving signs of woe, that all is lost." At length, the excitability of nature flags, and stimulants of higher power, and in greater quantities, are required to rouse the impaired energies of life, until, finally, the whole process of dilatory suicide, and worse than purgatorial suffering, having been passed through, "the silver cord is loosed, the golden bowl is broken, the wheel at the cistern stops, the dust returns to the earth, and the spirit to God who gave it, to receive, in judgment, according to the deeds done in the body."

III. The evils of intemperance. This part of the subject has, in a great measure, been anticipated, so far as individuals are concerned, but it admits and requires further amplification and illustration in a national point of view. My limits do not permit me even to touch upon the overwhelming distress and ruin, which the intemperate man brings upon his disconsolate wife and children.

1. The effects of intemperance upon the *health and physical energies* of a nation are not to be disregarded, or lightly esteemed. No fact is more certain than the transmission of temperament and of physical constitution, according to the predominant moral condition of society, from age to age. Luxury produces effeminacy, and transmits to other generations imbecility and disease. Excesses unmake the man. The stature dwindles, the joints are loosely compacted, and the muscular fibre has lost its elastic tone. No giants' bones will be found in the cemeteries of a nation, over whom, for centuries, the waves of intemperance have rolled; and no unwieldy iron armour, the annoyance and defence of other days, will be dug up as memorials of its departed glory. The duration of human life, too, and the relative amount of health or disease, will manifestly vary, according to the quantity of spirituous liquors consumed in the land. No small proportion of the deaths, which annually make up our national bills of mortality, are the cases of those who have been

brought to an untimely end, and who have, directly or indirectly, fallen victims to the pernicious use of ardent spirits; fulfilling, with fearful accuracy, the prediction, "The wicked shall not live out half their days."

2. The injurious influence of general intemperance upon *national intellect* is equally certain, and not less to be deprecated.

To the action of a powerful mind, a vigorous muscular frame is, as a general rule, indispensable. Like heavy ordnance, the mind in its efforts recoils on the body, and will soon shake down a puny frame. The mental action and physical reaction must be equal, or, finding its energies unsustained, the mind itself becomes discouraged, and falls into despondency and imbecility. The flow of animal spirits, the fire and vigor of the imagination, the fulness and power of feeling, the comprehension and grasp of thought, the flash of the eye, the tones of the voice, and the electrical energy of utterance, all depend upon the healthful and vigorous tone of the animal system; and by whatever means the strength of the body is impaired, the mind is made to languish. The greatest poets and orators, who stand on the records of immortality, flourished in the iron age, before the habits of effeminacy had enervated the body and unstrung the mind. This is true of Homer and Demosthenes and Milton; and if Virgil and Cicero are to be classed with them, it is not without a manifest abatement of vigor for beauty, produced by the progress of voluptuousness in the age in which they lived. History confirms these positions. The victories of Greece let in upon her the luxuries of the East, and covered her glory with a night of ages. And Rome, whose iron foot trode down the nations, witnessed, in her latter days, faintness of heart, and the shield of the mighty ingloriously cast away.

3. Upon the *national conscience* or moral sense, the effects of intemperance are fatal. It obliterates the fear of the Lord and a sense of accountability, paralyzes the power of conscience, and hardens the heart. A nation is no more than a collection of individuals, and is a *moral person*, responsible for its acts, capable of praise or blame, of doing right or doing wrong, of a depressed or elevated tone of moral feeling, of a conscience void of offence towards God and towards man, or of a conscience hardened by iniquity, and "seared by sin as with a hot iron."

4. Upon *national industry*, too, the effects of intemperance are manifest and mischievous. The results of national industry depend on the amount of well-directed intellectual and physical energy. But intemperance paralyzes and destroys both these springs of action. In the inventory of national loss by intemperance, may be set down the labor prevented by indolence, by debility, by sickness, by quarrels and litigation, by gaming, by mistakes and misdirected efforts, by improvidence and wastefulness, and by the diminished length of human life and activity. Little wastes in great establishments, constantly occurring, may impair or destroy the productiveness of a very large capital. But, where the intellectual and muscular energies are raised to the working point daily by ardent spirits, until the agriculture, and commerce, and arts of a nation move on by the power of artificial stimulants, that moral power cannot be maintained, which will guaranty industry and integrity, and that physical power cannot be preserved and well directed, which will insure national prosperity.

5. The effects of intemperance upon *civil liberty* ought not to pass unnoticed. It is admitted that intelligence and virtue are the pillars of republican institutions, and that the illumination of schools, and the moral power of religious institutions, are indispensable to secure this intelligence and virtue. But who are found so uniformly in the ranks of irreligion as the intemperate? Who like these violate the sacredness of Sunday, and set their mouths against the heavens, neglecting the education of their children, and corrupting their morals? Much the larger part of national ignorance and crime, is the offspring of intemperance. Throughout the land, the intemperate are hewing down the pillars, and undermining the foundations, of our national edifice.

IV. The remedy of intemperance. By what means can the evil of intemperance be stayed?

1. There should be extended through the country an all-pervading sense of the danger of falling into this sin. Intemperance is a disease, as well as a crime; and, were any other disease equally contagious, equally well marked in its symptoms, and equally mortal, to pervade the land, it would create universal consternation. Much is said of "the prudent use" of spirituous liquors; but there is no prudent use of them, except when they

are used only as a medicine. All who receive them into the system, it is true, are not destroyed by them. But if any vegetable were poisonous to as many, as the use of ardent spirits proves destructive to, it would be banished from the table ; it would not be considered *prudent to use it at all*. The effect of attempting to use ardent spirits prudently is to multitudes so destructive, as to preclude the possibility of prudence in the use of them. And, when we consider the deceitful nature of this sin, and its almost irresistible power when it has obtained an ascendancy, no man can use spirituous liquors prudently, or, without mocking his Maker, can pray while he uses them, "Lead us not into temptation."

2. A vivid recollection should be habitually maintained, that a person may be *guilty of great intemperance without actual drunkenness*. So long as men suppose, that there is neither crime nor danger in drinking, short of what they denominate drunkenness, they will cast off fear and move onward to ruin by a silent, certain course, until destruction comes upon them, and they cannot escape. It should be known, therefore, and admitted, that, to drink daily, at stated times, any quantity of spirituous liquors, is intemperance ; or to drink periodically, as often as days, and times, and seasons may furnish temptation and opportunity, is intemperance. It is violence done to the system, and the beginning of a habit which cannot fail to generate disease, and will not be pursued by one hundred men, without producing many drunkards.

In respect to the reformation of those over whom the habit of intemperance has obtained an ascendancy, there is but one alternative ; they must resolve upon immediate and entire abstinence. Many a man is equal to practising *entire abstinence*, who is unequal to the practice of *temperance*. Some have recommended, and many have attempted, a gradual discontinuance. But no man's prudence and fortitude are equal to the task of reformation in this way. If the patient were in close confinement, where he could not help himself, he might be dealt with in this manner ; but it would be cruelly protracting a course of suffering through months, which might be ended in a few days. But no man, at liberty, will reform by gradual retrenchment.

3. With respect to *the general reformation* of intemperance, there is but one universal, natural, and national remedy, on which we can absolutely rely ; and that is, the *banishment* of spirituous liquors, not only from the family and from social meetings and festive entertainments of whatever kind, but also from *commerce and merchandise, by raising up a correct and effective public sentiment* on the subject.

To this end, the pulpit, “in the sober use of its legitimate powers,” may do much, much more than it has yet done. The press might soon accomplish the object, by its own immense resources, if it could be earnestly and universally enlisted. Voluntary associations, formed to use the press for the purpose of raising up such a public sentiment, and of giving it strength and efficiency, have done much, very much. Magistrates, especially the mayors and councils of our cities might do much to check intemperance by a firm and moderate use of the means placed at their disposal ; and some of them have honorably distinguished themselves in this way. Finally, every man may give to this cause the benefit of his own example ; every father of a family may bring up those specially intrusted to his care, in habits of abstinence from spirituous liquors ; many may influence their neighbours, and unite themselves with temperance associations ; and all may implore for it the Divine blessing.*

* This chapter principally consists of an abridgment of the language, and a condensation of the sentiments, of Dr. Beecher’s “Six Sermons on Intemperance.” It will be perceived, too, that the author has confined himself, in this discussion, to the use and sale of *distilled liquors*. The question respecting the use of wine, beer, &c., he considers beyond the “Elements of Moral Philosophy,” to which he proposes to limit himself.

CHAPTER IV.

GAMING, INCLUDING AN EXAMINATION OF THE MORAL TENDENCY AND INFLUENCE OF THE LOTTERY SYSTEM.

GAMING, in the usual sense of the term, will not be noticed by me any further than as a convenient introduction to the examination of an extensive system not known by *name* as gaming, but fraught with most, if not all, of the mischiefs of the worst species and degrees of ordinary gaming. I refer to the lottery system. Gaming is an offence prohibited by law, well known to all as the acknowledged road to the ruin of body, mind, and estate, and resorted to only by men, who would seem to be beyond the reach of any motives and remonstrances which can be urged by the moral philosopher; while the lottery system is still, in a considerable measure, upheld and sanctioned by law, and sustained by the countenance, and even the occasional participation, of the respectable and the influential. Assuredly, when ordinary gaming is universally denounced by the wise and the good, the lottery system can only be permitted to exist among us, because the country has not reflected on the subject, and the public mind has not been enlightened in regard to its evils and pernicious consequences.

The lottery was known to the Romans; but it was not until comparatively late times, that the republic of Genoa first suggested the plan of resorting to it as a measure of finance. From Italy, about the year 1580, it found its way into France. The first lottery mentioned in English history was established in 1567. A few years after, lotteries had become numerous, and divers statutes were enacted to assuage, by restrictions and penalties, the malignity of their influence. But it is a part of the history of the lottery system, that all checks, guards, and restrictions have been but temporary alleviations, which, like most remedies of that nature, have produced the effect of giving false security to the patient, rather than of really counteracting the disease.*

* The last state lottery in England was drawn on the 18th of October,

From England, the system came into this country, and the second lottery ever granted by Parliament was authorized in the reign of James I., for carrying on the colonization of Virginia. The effects of the system, too, were early felt in the Eastern colonies; for, in 1699, "the ministers met at Boston" felt themselves called upon to denounce "the lottery as a fraud, and its agents as pillagers of the people." But, notwithstanding this early denunciation of the system, it gradually struck deep root in the soil of this country, and has shot its noxious branches into many portions of the American Union. Legislative sanction has been given to this fraud, under the various pretences of excavating canals, building bridges, endowing colleges, and even erecting churches. So liable are men, without reflection, to be led astray by the sophism of making the end sanctify the means by which it is attained.

Every principle of calculation is against the system; yet the *bare possibility* of obtaining a great sum for a small advance is so strong an inducement with the lower orders of society, and the ingenuity and profits of the persons whose interest it is to excite and keep alive in them the spirit of gaming are so great, that they will adventure, to their ruin, notwithstanding the results of calculation make against them with all the evidence of the light of noon-day. For instance, in a modern scheme containing 45,760 tickets, there may probably be, besides smaller prizes, twenty prizes of \$1000 each, one prize of \$5000, and one of \$20,000. Now the great majority of adventurers have their eyes fixed on the high prizes. And what are their chances of obtaining them? The chance of the holder of a single ticket to obtain one of the prizes of \$1000 is shown, by calculation, to be as one to 2080. His chance of drawing the prize of \$5000, is as one to 22,880, and his chance of securing the capital prize of \$20,000, is in the ratio of one to the aggregate number of tickets in the scheme, that is, of one to 45,760. How remote the prospect of success in securing any of the high prizes, which appear so dazzling to the eyes of the adventurers. Again, were an indi-

1826. France has just announced her intention to follow the example of England in abolishing the lottery system. National Gazette, 11th of March, 1837.

vidual to buy all the tickets in a lottery, his loss would be immense ; and, on every principle of calculation, his loss will be proportionate for as many tickets as he may venture to buy. There are other aspects equally striking in which this calculation might be presented, if my limits did not admonish me, that I have already gone quite far enough.

Nor, when viewed as a measure of finance, or as the means of raising money with which to accomplish any object deemed desirable, is the lottery system more promising, than when, tested by calculation, it holds out the prospect of enriching individuals.

In the amount specified to be raised by any given lottery, the entire sum actually to be drained from the pockets of the people never appears. It is a striking feature of the system, that all is wrapped in concealment and obscurity. The proposal, for instance, to raise by lottery, \$10,000 or \$15,000, to be expended in public charity, or internal improvements, from the smallness of the sum is not supposed to be worthy of serious remonstrance or opposition. As the grant, too, confers only the power to offer a few tickets for sale, the purchase of which is free from constraint, and rests entirely upon the volition of the buyers, there can be, it is thought, no just objection against it. And when the destination of the money is considered, it appears to be so meritorious on the ground of benevolence or public spirit, that the measure, from meeting at first with acquiescence, is hailed at length with the voice of popular favor.

But it is not taken into the account, that the raising of so trivial a sum sometimes requires the issuing of schemes approaching to a million of dollars. Two lotteries in the State of Maine, granted in 1831, left a surplus in the treasury, beyond the expenses, of no more than \$14·21, after having issued schemes to the amount of \$60,000. A lottery was granted by the Legislature of Massachusetts, in 1812, to the town of Plymouth, for the purpose of raising \$16,000, to be expended in completing certain repairs in the Plymouth beach. At the end of nine years, it was ascertained, that only \$9,876·17 had been raised for the object, notwithstanding classes had been drawn, amounting in the aggregate to \$886,439·75. Again ; in 1811, the Legislature of Pennsylvania granted to a company the privi-

lege of raising \$340,000, for the purposes of the Union Canal. By a contract entered into with certain gentlemen of New York, schemes were permitted to be issued to an indefinite extent, upon the annual payment into the hands of the company of the sum of \$30,000. In pursuance of this contract, and under the assumed authority of the grant, schemes had been issued by the end of the year 1833, exceeding, in the aggregate, the astonishing sum of thirty-three millions of dollars. The portentous career of this lottery has been arrested ; but, if it had not been, it is difficult to conjecture how many millions more would have been levied upon the people, under the pretence that the grant had not been satisfied. In the State of New York, too, schemes were issued, between the adoption of her new constitution, in 1821, and the end of the year 1833, to the enormous amount of thirty-seven millions of dollars. It thus appears, that, to collect a few hundred dollars by means of the lottery system, the assessment must be thousands ; and if the object is to accumulate a few thousands, no less than millions must be extracted from the pockets of the people.

But the sacrifice of money, great as the amount has been, is of comparatively small importance, when we inquire into the moral tendency and effects of the system, as made known by experience. As early as 1762, the Provincial Assembly of Pennsylvania pronounced it to be a mischievous and unlawful *game* ; to be detrimental to youth, and ruinous to the poor ; the source of fraud and dishonesty ; alike hurtful to industry, commerce, and trade, as it was baneful to the interests of good citizenship, morality, and virtue.

It is all this and much more. In the train of the lottery system, an appalling picture of vice, crime, and misery, in every varied form, is presented to the mind. Husbands and fathers of families, respected through a long and well-sustained course of years, have at length, by the influence of this delusive enticement, been seduced from their integrity, and brought to end their days the tenants of a prison, under the just sentence of deep and complicated guilt. Others, again, in the prime of life, holding important public trusts, have become adventurers, by little and little, till their own resources have been swept away, and then, for

the desperate chance of retrieving their losses, they have betrayed the confidence of their station, have been detected and disgraced, and ultimately have been forced from the bosom of their families and their homes; rupturing the closest and most sacred ties of nature and affinity, and leaving those, whom they ought to have protected, a charge on the community.

Numerous instances might be adduced of persons yet in boyhood, clerks, and apprentices, who, singly and in combination, have purloined the property of their masters and employers, to meet the demands of continued disappointment in lottery speculations. Still another class might be mentioned, consisting of young men just freed from the control of guardians and friends, with a sufficient patrimonial inheritance to enable them to employ their time and talents usefully to the community, and advantageously and honorably to themselves; but who, ignorant of the true character of lottery schemes, have deliberately invested their *all*, in order to realize the sudden, certain, and independent fortunes, which are so lavishly promised by the lottery schemes, which meet their eyes at almost every step they take.* But on this (the moral) part of the subject, something more than a mere summary of the evils seems to be called for.

1. The system has reduced to insolvency very great numbers, who, before being drawn away by its seductions, were in prosperous circumstances. Few persons, when they have once permitted themselves to be drawn fairly within its influence, have escaped pecuniary ruin. By a transcript from "the records of the Insolvent Court for the city and county of Philadelphia," prepared from the petitions themselves, which were deliberately sworn or affirmed to by the petitioners, and which is now lying before me, it appears, that between March term, 1830, and September term, 1833, there were fifty-five cases of insolvency, which were ascribed to the ruinous effects of the lottery system. This fact indicates the magnitude of this one branch of the evil of the system, during the period of not much more than three years, and within the narrow precincts of the county of Philadelphia. It is certain, too, that the records of the court do not

* Report of a Committee of the citizens of Philadelphia, appointed to investigate the evils of Lotteries, &c., made on the 12th of December, 1831.

include all who were driven to insolvency from this cause, within this time, and within the limits of this district. For many, whose losses in this way were the principal occasion of their misfortunes, suppressed the disclosure of them in their petitions, and the fact was only elicited by examinations at the bar. Many, likewise, either from the indulgence of creditors, or successful dexterity in eluding the law, were never driven into the Insolvent Court. Judging from what we *know* of the county of Philadelphia, how great must be the number of insolvencies, and consequently how great the domestic suffering, caused by the lottery system in the United States.

2. The system has led to very numerous cases of embezzlement, fraud, purloining, breach of trust, &c. It is in the regular course of events, that lottery speculations should finally plunge the speculator into deep and complicated guilt. He becomes poor by successive losses, his poverty leads him to petty villanies, he gradually proceeds from one impropriety to another, till at last his feelings become blunted, and his reputation is tarnished. Low dissipation and idle phantasms of golden showers, from being long indulged, have so impaired his faculties and weakened his sense of character, as to destroy his ability for any useful pursuit. He looks around him for assistance, but the avenues to relief are closed ; he is in debt beyond the hope of extrication, his standing in society is ruined, and his native energy is gone. Thus prepared for some reckless effort to repair his fortune, where can he seek for aid, but from the principles which he has imbibed ; what counsellors can he listen to, but his desperation and his necessities ? I have before me an extensive collection of actual cases, illustrative of the numerous frauds, embezzlements, and purloinings to which the lottery system in this country has given birth. They consist of a melancholy detail of persons, of both sexes, and of almost every variety of employment and condition, ruined, first in estate and prospects, and finally in character, by the illusions and seductions of this destructive system of legalized gaming. Many of them are affecting, and even *tragic*, in the impression produced by their perusal.

3. Intemperance and suicide are extensively the consequences of this system. Intemperance, in the first instance, and event-

ally suicide, seem to be the natural consequences of the course of life, which is incident to every species of gaming, and especially to gaming by the lottery system. For what is more likely to be resorted to as a cure for the tedium of idleness, or the disappointment of successive losses, than the excitement or insensibility to be found in the intoxicating cup? And, when that idleness at last terminates in despondency, and those losses in despair, where can the infatuated and unhappy victim find refuge but in the embraces of death? His sense of religion, his morals, and his courage have been dissipated with his money, and his hardened conscience feels no horror at the crime of self-destruction. Having ruined all his prospects in this world, he madly rushes upon his final destiny. Dupin ascribes a hundred cases of suicide *annually* to the lottery system, in the single city of Paris. Many years ago, a lottery scheme was formed in London, displaying several magnificent prizes of £50,000 and £100,000, which tempted to adventures of very large amount, and the night of the drawing was signalized by fifty cases of suicide.

4. The effects of drawing prizes have almost always been disastrous upon those who have drawn them. It is, perhaps, peculiar to the lottery system, that success and failure alike tend to ruin the victim of its allurements. The drawing of a prize has often tended to accelerate a downfall, which, without such success, might have been delayed. The actual cases are numerous, in which the drawing of a prize is the epoch of the adventurer's destruction, and may be considered as the knell of his earthly hopes and prospects. The cases before me show, that the few, who have been successful in drawing considerable prizes, have generally been led, by their success, to launch forth into new and still more extravagant adventures, by which they have eventually been involved in equally certain, and still more overwhelming ruin.

5. It may be well to institute a brief comparison between the lottery system and ordinary gaming. It admits of the most convincing proof, that the lottery system is *more extensively* prejudicial than other kinds of gaming, by holding out enticements which affect more or less every class in society. It is accom-

modated to the poor as well as to the rich ; to the concealed speculator no less than to the avowed libertine. The subdivision of chances is so minute as even to include, among the adventurers, the day-laborer, the apprentice to a trade, and the servant girl. But it does not stop here. With its own undistinguishing spirit, it sacrifices older victims, and ascends into higher walks. It penetrates into situations which would prove impervious to the contaminating influences of ordinary gaming. While, in common gaming, the personal superintendence which is necessary must expose the infamy of participation, the odium of holding tickets may be prevented by committing to another the charge of the purchase. It is thus, that persons claiming respectability have been known to engage in lottery speculations without incurring the disgrace, which, in all well-regulated communities, is attached to the practice of gaming. In truth, want of consideration has sometimes led persons, whose morals were irreproachable, in other respects, to purchase tickets, and thus to countenance a system which has brought multitudes to shame and ruin.

Again, the risks are greater in the lottery than in other gaming. The chance of the latter may be as one to one, or greater, according to the skill of the player ; but the hazards of the former are frequently in the proportion of one to a thousand or even more. In the one, the loss of fortune may ensue in a single night ; but in the other, the excitements of hope and the agony of disappointment, may alternate in rapid succession, and the unhappy adventurer may have a protracted and most painful struggle, before he can know the result of the contest. In the mean time, he is rendered a useless, not to say a pernicious, member of society ; his principles are contaminated by familiar association with infamy and guilt, and his habits debauched by indulging in the excesses into which he has most probably been drawn. The life of a regular gamester may possibly admit of useful occupation in the intervals of play. But the lottery adventurer broods by day and night over his tickets, his imagination is excited with the grand idea of obtaining the capital prize, and his mind is held in that state of anxious suspense, which permits nothing to divert it from the one absorbing object of its contemplation. He is soon incapable of a higher effort than

to discuss the merits of a scheme, or to lounge in a lottery office. Though often the loser, he is sometimes the gainer ; new excitement is thereby given to his passion ; he is urged on to new adventures ; great good fortune only whets his appetite for greater still ; and continued ill-luck only nourishes the hope of its speedy termination. Driven, as well by the desperate necessity of ministering to his excitement, as by depraved principles and reckless despair, he is ready for the perpetration of any enormity. The effects of the lottery system, therefore, on the character, are at least as ruinous as the effects of ordinary gaming. What claim, then, has such a system to be cherished and nurtured by the genial sunshine of protective legislation, in a country, with whose entire policy it is directly at war, whose interest consists in presenting every incentive to useful and honorable exertion, and in making wealth the fruit of intelligent and persevering industry ?

6. The tendency of this system to raise up and encourage idlers, spendthrifts, and gamblers of every description, ought to be more distinctly brought to view than it has hitherto been. The Philadelphia committee of 1831, before referred to, affirm, that the number of these classes of persons has been daily augmenting in that city ; a fact, which, they say, no citizen, not wholly inattentive to what is passing around him, can have failed to notice and deplore. In Philadelphia, the number of lottery offices in 1831 was ascertained to be one hundred and seventy-seven, and in 1833, the number was estimated to be more than two hundred. It was estimated, too, that between five and six hundred persons were employed to attend to the business of these two hundred or more offices. These persons subsist and grow rich by preying upon their deluded fellow-citizens. Boys of the tenderest age are initiated into all the mysteries of the craft, which are those of habitual falsehood and schemes of rapine. The artifices practised to deceive the credulous, allure the unwary, and induce a purchase, and the frauds devised for robbing the wretched victim of his prize, when he happens to draw one, are matter of common notoriety. Then, too, observe the scenes and spectacles at the drawings, which, it is affirmed, occur, in some of our cities, almost every fortnight throughout the year. Hundreds of wretched

persons are collected on these occasions, whose intense anxiety is read in their flushed and distorted countenances. Listen to the loud imprecations and blasphemy, mingled with the scarcely audible whisper of profane, delirious, and intoxicating joy, upon the announcement of a prize. Observe the motley throng upon their dispersion, and witness the agonizing disappointment and despair, which are seen upon the faces of ninety-nine in every hundred. Such is the system, which, though considerably checked within a few years, still exists very extensively, both in Europe and in the United States.

The celebrated French mathematician and physical astronomer, M. Laplace, has summed up the objections to the lottery system, in a manner at once so clear and comprehensive, that I have been anxious to give the close of this chapter the advantage of being enriched by his observations, but my limits render it impossible to gratify this wish.* He sustains me fully in the mathematical, financial, and *moral* views which I have taken of the subject.†

CHAPTER V.

DUELLING.

DUELLING is accustomed to be defended by very few, even of those who are willing, on certain occasions, to resort to it. They are rather accustomed to rest it on alleged necessity, than on argument; of which necessity they assume to be the exclusive judges. It seems useless, therefore, to treat by argument and protracted discussion, a practice which is scarcely ever vindicated

* See Extrait du Discours prononcé par M. de Laplace, à la Chambre des Pairs, le 16 Juillet, 1819. — Mr. Jefferson's views may be seen in his Works, Vol. IV. pp. 428 – 438.

† In preparing this chapter, much use has been made of a well-written and otherwise very valuable pamphlet of 105 pages, on the evils of the lottery system in the United States, published by Job R. Tyson, Esq., at the request of a meeting of the citizens of Philadelphia, on the 22d of November, 1833.

in that way. * Still, I am unwilling to leave an evil so dangerous and so pernicious, without giving it some further consideration. † Under these circumstances, I can think of no way which promises to be more useful, than to take one of the most celebrated cases of duelling on record, and carefully analyze it, and consider its moral character and complexion. To this end, I am unhappily furnished with an instance as well suited to my purpose as could be desired.

In the year 1804, the celebrated Alexander Hamilton and Colonel Aaron Burr met in personal combat, occasioned by a difference arising out of the political relations which subsisted between them. General Hamilton had been Secretary of the Treasury during President Washington's administration, and Colonel Burr had been Vice-President of the United States. General Hamilton was mortally wounded in the combat, and died the next day. Previous to the meeting, he drew up a paper to be left behind him in the event of his falling, which makes us fully acquainted with his views on duelling. It is subjoined in the note. ‡ The

* Boswell's Life of Johnson, Vol. I. p. 294. † See above, pp. 109, 303, 304.

‡ "I was certainly desirous of avoiding this interview, for the most cogent reasons. 1. My religious and moral principles are strongly opposed to the practice of duelling; and it would ever give me pain to be obliged to shed the blood of a fellow-creature in a private combat forbidden by the laws. 2. My wife and children are extremely dear to me, and my life is of the utmost importance to them in various views. 3. I feel a sense of obligation towards my creditors, who, in case of accident to me, may, by the forced sale of my property, be in some degree sufferers. I did not think myself at liberty, as a man of probity, lightly to expose them to this hazard. 4. I am conscious of no ill-will to Colonel Burr, distinct from political opposition, which, as I trust, has proceeded from pure and upright motives. Lastly, I shall hazard much, and can possibly gain nothing by the issue of the interview.

"But it was, as I conceive, impossible for me to avoid it. There were *intrinsic* difficulties in the thing, and *artificial* embarrassments from the manner of proceeding on the part of Colonel Burr. *Intrinsic*, because it is not to be denied, that my animadversions on the political principles, character, and views of Colonel Burr have been extremely severe; and on different occasions, I, in common with many others, have made very unfavorable criticisms on particular instances of the private conduct of this gentleman.

"In proportion as these impressions were entertained with sincerity, and uttered with motives and for purposes, which might to me appear commendable, would be the difficulty (until they could be removed by evidence of their being erroneous) of explanation or apology. The disavowal required of me by Colo-

following brief but careful analysis and observations on this transaction are submitted without amplification.

1. General Hamilton unequivocally condemns, nay, "abhors

nel Burr, in a general and indefinite form, was out of my power, if it had been really proper for me to submit to be questioned; but I was sincerely of opinion, that this could not be; and in this opinion I was confirmed by a very moderate and judicious friend, whom I consulted. Besides that Colonel Burr appeared to me to assume, in the first instance, a tone unnecessarily peremptory and menacing; and in the second, positively offensive. Yet I wished, as far as might be practicable, to leave a door open for accommodation. This, I think, will be inferred from the written communications made by me and by my direction; and would be confirmed by the conversation between Mr. Van Ness and myself, which arose out of the subject. I am not sure whether, under all the circumstances, I did not go further in the attempt to accommodate, than a punctilious delicacy will justify. If so, I hope the motives I have stated will excuse me.

"It is not my design, in what I have said, to affix any odium on the conduct of Colonel Burr, in this case. He doubtless has heard of animadversions of mine, which bore very hard upon him; and it is probable, that, as usual, they were accompanied by some falsehoods. He may have supposed himself under a necessity of acting as he has done. I hope the grounds of his proceeding have been such as ought to satisfy his own conscience.

"I trust, at the same time, that the world will do me the justice to believe, that I have not censured him on light grounds, nor from unworthy inducements. I certainly have had strong reasons for what I may have said; though it is possible, that, in some particulars, I may have been influenced by misconstruction or misinformation. It is also my ardent wish, that I may have been more mistaken than I think I have been; and that he, by his future conduct, may show himself worthy of all confidence and esteem, and prove an ornament and blessing to the country.

"As well because it is possible, that I may have injured Colonel Burr, however convinced myself, that my opinions and declarations have been well founded, as from my general principles and temper in relation to such affairs, I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to *reserve* and *throw away* my first fire; and I have *thoughts* even of *reserving* my second fire, and thus giving a double opportunity to Colonel Burr to pause and reflect. It is not, however, my intention to enter into any explanation on the ground. Apology (from principle, I hope, rather than pride) is out of the question.

"To those, who, with me, abhorring the practice of duelling, may think, that I ought on no account to have added to the number of bad examples, I answer, that my *relative* situation, as well in public as private, enforcing all the considerations which constitute what men of the world denominate *honor*, imposed on me (as I thought) a peculiar necessity not to decline the call. The ability to be, in future, useful, whether in resisting mischief, or effecting good, in those crises of our public affairs which seem likely to happen, would, probably, be inseparable from a conformity to public prejudice in this particular.

"A. H."

the practice of duelling," and yet, acting contrary to "his religious and moral principles," he sanctions the practice by his own example.

2. Public opinion has settled down, most decidedly and unequivocally, in the conviction, that he ought not to have granted Colonel Burr a meeting. His conduct, therefore, besides being condemned by himself, is generally, if not universally, disapproved by his countrymen.

3. In this transaction, General Hamilton deliberately conformed to what he himself calls "public prejudice," in disregard (adopting his own views) of his "own religious and moral principles," of the law of God and his country, — of the claims of his wife and children, and of his creditors, whom, "as a man of probity," he does not think himself at liberty lightly to expose to the hazard of losing their property by him. All these he made up his mind to sacrifice at the shrine of "public prejudice."

4. Every man standing, like General Hamilton, on a high social, political, and intellectual eminence, is sacredly bound to refuse his sanction to this practice, equally violative of the law of God and man. This has been done by many, with whom General Hamilton needed not to have been ashamed to associate himself. If duels were to cease in high life, we should never hear of them in common life. As long as men, elevated by their talents, and by their social and political rank, continue to resort to duels, they will be sure to have a train of more humble imitators. Men of their standing in society, therefore, are chiefly responsible for the existence and prevalence of this crime. It is emphatically a crime perpetrated in high places.

5. How sophisticated, not to say absurd, was General Hamilton's view of "*honor*," by which he conceived himself bound to be governed, in violation of his religion, his morals, and the law of his country. Such was not the ancient idea of honor ; * and we may well exclaim, How feeble are the most gifted understandings, when they permit themselves to be entangled in the labyrinths of sophistry, and lose sight of the plain and direct path of truth and duty.

* See above, pp. 302 - 304.

6. We may read in this transaction still another instructive lesson. We see a man adorned with every natural and acquired accomplishment which can well be ascribed to human nature, acknowledging that he is held to a particular line of conduct by the supreme consideration of his religion, his morals, and the law of his country, and yet writhing and struggling to determine how he shall conduct himself on an occasion of no very extraordinary emergency. A spell seems to be thrown around him, he seems to be deprived of his vigorous sense, and of his strong and manly reason, as if by the touch of enchantment. In deed and in truth, the lion seems fast bound in the meshes of the spider's web. How instantly would the decisions of his conscience, if he had been willing to be counselled by its Divine guidance, have swept away the flimsy sophistry of public opinion, or "public prejudice," as he more justly calls it, to which he appeals in extenuation, if not in justification of his conduct.

CHAPTER VI.

THEATRICAL AMUSEMENTS.

IN thus ranking theatrical entertainments among the public evils,* of which it is proper for a writer on morals to take notice, I begin, by saying, that I do not condemn the *reading* of the standard

* A resolution of the Revolutionary Congress, passed the 12th of October, 1778, says, "Whereas true religion and good morals are the only solid foundations of public liberty and happiness, — Resolved, that it be, and it hereby is, earnestly recommended to the several States, to take the most effectual measures for the encouragement thereof, and for the suppressing of *theatrical entertainments*, horse-racing, gaming, and such other diversions as are productive of idleness, dissipation, and a general depravity of manners." Again, on the 16th of October, they say, "Whereas *frequenting play-houses and theatrical entertainments* has a fatal tendency to divert the minds of the people from a due attention to the means necessary for the defence of their country, and the preservation of their liberties; Resolved, that any person holding an office under the United States, *who shall act, promote, encourage, or attend such plays*, shall be deemed unworthy to hold such office, and shall be accordingly dismissed."

dramatic compositions, either tragedies or comedies. This kind of reading can only become injurious when it is pursued to excess ; and in this it does not differ from many other things, which become faulty only by excess. A large number of dramas, both ancient and modern, are well suited to refine the taste, to enlarge the knowledge, and, in general, to improve the understanding. They contain, also, not a few of the purest moral sentiments, expressed in the most striking and beautiful style. They are designed to be faithful representations of human life, its employments, its manners, its passions, its sorrows, its joys, and even its follies. Whatever of good or evil, therefore, human life contains, may be expected to be delineated in them. The good man will find in them nutriment, wherewith to cherish and strengthen his virtue ; while the wicked man will find materials, with which to uphold himself in his own chosen way. Bishop Jeremy Taylor, and other divines of his time, were accustomed to quote the ancient tragedies, in illustration of the moral sentiments which they were attempting to enforce in their sermons.

Nor is it my design to condemn the stage, if it were made such as, in the nature of things, we may *conceive* it might be. We may imagine all the pieces represented to be pure in their sentiments, and safe in their tendency, all the actors and actresses patterns of virtue, and the theatre itself a model of tranquillity, sobriety, and good order. Such, however, *the theatre never has been* ; and we may well doubt, whether it ever will be. It is my business to deal with it, according to *the character, which it has always maintained*, and which, there is too much reason to believe, it will always continue to maintain. With these few remarks, intended to guard against misapprehension, I proceed to state and illustrate the chief objections, which a vast majority of good men have always felt against theatrical entertainments.

1. The main object of the stage, in every age and country, has been mere amusement. Neither instruction nor reformation has often been seriously attempted through its instrumentality. In this respect the modern theatre seems to have degenerated from the ancient ; — the ancient drama seems to have been more intent on communicating a salutary moral impression. Still in ancient times, as in all other times, the main object of theat-

rical representations was amusement. The persons, in every age, who have, for the most part, attended them, are the wealthy, the fashionable, the young, and the gay; those who live for pleasure, and the very business of whose lives is amusement. The writers who have defended them, have generally made their defence to consist in attempting to show, that they are an innocent amusement, the perfection of the poetic and imitative arts, and that they contribute to refine the taste of the audience. Few have had the hardihood even to attempt to exalt them into schools of virtue, or to represent them as a barrier against vice. Most defenders have supposed they have done well, by proving that they were innocent amusements, without advancing any higher claims for them.

2. Serious Christians, of every name, have, in all ages, been unfriendly to theatrical representations, on the ground of their injurious tendency to good morals. The Catholic and Protestant churches have equally taken decided ground against them, accompanied by earnest dissuasives addressed to their members, against countenancing them by their attendance. "It is so true," says a society of Roman Catholic clergy, "that plays are almost always a representation of vicious passions, that the most part of Christian virtues are incapable of appearing upon the stage. Silence, patience, moderation, wisdom, poverty, repentance, are no virtues, the representation of which can divert the spectators; and above all, we never hear humility spoken of, and the bearing of injuries. It would be strange, to see a modest and silent religious person represented. There must be something great and renowned according to men, or at least something lively and animated, which is not met withal in Christian gravity and wisdom; and, therefore, those who have been desirous to introduce holy men and women upon the stage, have been forced to make them appear proud, and to make them utter discourses more proper for the ancient Roman heroes, than for saints and martyrs. Their devotion upon the stage must, also, be always a little extraordinary."*

3. We shall do much towards determining the character and

* Quoted by Dr. Witherspoon, from an Essay against Plays, by the Messrs. de Port Royal, in his Works, Vol. III. p. 57, note.

tendency of the stage, if we consider the character of those who resort to, and advocate it, compared with the character of those who are unfriendly to, and avoid it. It must be too much matter of common notoriety to require any proof, that the ranks of those who habitually frequent the theatre, are chiefly made up of those classes of society, whose main object in life is pleasure and amusement, rather than of those whose chief pursuit is business, and who are mainly intent on usefulness, and the quiet and faithful discharge of their duty. Still fewer are seen in their ranks, of those whose main object is to "use this world as not abusing it," and to make it a medium of transition to another and a brighter world. I do not say, that good men, and even pious men, are never seen at the theatre; but, when there, they must feel themselves to be out of their proper element, and, in like manner, are felt to be out of their proper element by those who see them there.

4. The history of theatrical entertainments shows very clearly, that their use is inseparable from their abuse. The argument against the use of a thing, derived from its abuse, is *not generally* a good one. Many things have been very much abused, the use of which, however, is not only justifiable, but even indispensable. There are very few things which are incapable of perversion and abuse. Religion itself has sometimes been made a cloak of licentiousness. This is a part of the imperfection which is stamped on all human affairs. But, when a practice has existed from the earliest times, and has *always* been abused; when we are acquainted with its history, and this history shows that *its existence is inseparable from its abuse*, the conclusion against it is sound and perfectly legitimate. Such is the case with theatrical amusements. The advocates of theatres always praise "a well-regulated theatre"; but they refer to it as what, in the nature of things, they think *it might be*, not as what it is and has been. Reasoning as usual, therefore, from what is past to what is to come, no man can ever expect to see "a well-regulated theatre." *

* It must have been under the impression, that dramatic representations, if under good regulation, might be turned to a good purpose, that the events, transactions, and characters of the Bible, and even the most sublime mysteries of

5. The stage has in all past time been a school of corrupt morals. The profession of an actor has never been considered respectable, much less honorable. There has always been a moral taint resting upon it. If this had been the case in one or a few ages and countries only, it might have been plausibly ascribed to unreasonable prejudices ; but it is the estimate in which actors and actresses have been held in all ages and in every country. The conviction has been strong and universal, that there are circumstances in the profession of an actor, which tend to degrade his personal, and especially his moral character. It does not belong to me to inquire what the causes are, which tend so powerfully to degrade the character of actors, that few have escaped their influence. They lead a wandering and unsettled kind of life ; they have no very definite prospects before them ; their success in their profession does not very much depend on their character for moral worth ; their gains are but very partially the reward of industry and virtue ; they are subject to popular caprice, prejudice, and passion ; to alternate hopes and

the Christian faith, were, at one time, dramatized by the clergy, and represented in public. How extensive those representations were in Italy, France, England, and other Christian countries, in the thirteenth and succeeding centuries, is well known to every one who is familiar with the history of literature. The scenes, events, characters, and doctrines of Scripture were not only adapted to dramatic representation by the clergy, but this was conducted under their direction. The churches were used as theatres, in which to exhibit these "sacred or spiritual dramas," as they were called, and the actors were often, if not generally, the clergy themselves. In fitting up and patronizing such representations, the clergy, we may presume, acted from the best possible motives, to wit, the desire to communicate religious knowledge, and to impress the great scenes, transactions, and doctrines of revelation on the minds of the people, by availing themselves of the powerful aid of dramatic representation to effect this object, and by thus bringing this most perfect of the imitative arts into the service of religion. Still, with such motives, and under the direction of the hierarchy, powerful as it was in those days, *the inherent vices of all representations of this kind were found to cling to them*, and they were gradually relinquished, from the conviction that they were worse than useless. Architecture, music, poetry, painting, and statuary have all been brought into the service of religion, and have greatly contributed to its hold on the respect and affections of mankind ; but it has been proved, after a full and fair *actual experiment*, that neither religion nor morals have any good to expect from any kind of dramatic representations. (See Bouterwek's History of Spanish and Portuguese Literature, Vol. I. pp. 501 - 521 ; Vol. II. pp. 89 - 99 ; Sismondi, La Littérature du Midi de l'Europe, Vol. I. pp. 337 - 349 ; Edinburgh Encyclopædia, art. *Drama*.)

fears, excitements and depressions ; they live by a dependence on the ever-shifting breath of popular applause ; — these must be among the causes which tend to degrade them. It is this degradation which has excluded them, for the most part, from the pale of respectable society. Occasionally, an individual has successfully resisted the natural tendencies and influences of the profession, and has, by his talents and personal virtues, vindicated his claim to be admitted into the best circles of society. But these individuals have been few and far between, and are manifest exceptions to the general fact, which, when affirmed of the great body of the profession, admits of no question.

6. Again, the theatre is a school of corruption in respect to those who attend on its entertainments. If none but the young, the gay, the wealthy, and the fashionable were to be seen there ; although good might not be expected, yet the hazard of much evil might be avoided. But far other classes of persons are accustomed to make the theatre their habitual place of resort. Of all places, this is the one in which evil communications most emphatically, and most extensively, corrupt good manners.* To corrupt and to be corrupted is, with many who resort there, the order of the day. Opportunities and facilities of contamination, of every kind, are at hand. The spendthrift is there ; they “ that tarry long at the wine, and are mighty at strong drink,” are there ; the gamester leaves his habitual haunts to be there ; the pickpocket is there. All “ the lovers of pleasure more than lovers of God ” delight to congregate there.† Moreover, “ the young man void of understanding,” ‡ is there. Finally, the theatre is the favorite resort of “ the strange woman, who forsaketh the guide of her youth, and forgetteth the covenant of her God ; whose house inclineth unto death, and whose guests are in the depths of hell ; who hath cast down many wounded ; by whom many strong men have been slain ; whose house is the way to hell, going down to the chambers of death.”§ Such are the chief objections, which the great body of serious Christians have urged against theatres and theatrical amusements.

* 1 Cor. xv. 33.

† 2 Tim. iii. 4.

‡ Prov. vii. 7.

§ Prov. ii. 16 – 18 ; ix. 18 ; vii. 26, 27.

CHAPTER VII.

IMMORAL INFLUENCE OF SKEPTICISM.

LORD HERBERT, the first and purest of the English deists, who flourished in the beginning of the reign of Charles I., did not so much impugn the doctrine or the morality of the Scriptures, as attempt to supersede their necessity, by endeavouring to show, that the great principles of the unity of God, of a moral government, and a future world, are taught with sufficient clearness by the light of nature. Bolingbroke and some of his successors advanced much further, and attempted to invalidate the proofs of the moral character of the Deity, and consequently all expectations of rewards and punishments; leaving the Supreme Being no other perfections, than those which belong to a first cause, or Almighty contriver. After him, at a considerable distance, followed Hume, the most subtle, if not the most philosophical of the deists; who, by perplexing the relation of cause and effect, boldly aimed to introduce a universal skepticism, and to pour a more than Egyptian darkness into the whole region of morals. Since his time, skeptical writers have sprung up in abundance, and infidelity has allured multitudes to its standard; the young and superficial by its dexterous sophistry; the vain by the literary fame of its champions, and the profligate by the licentiousness of its principles. Atheism, the most undisguised, has at length begun to make its appearance in this country.

My object in this connexion is not so much to evince the falsehood of skepticism as a theory, as to prove its mischievous effects, contrasted with those which result from the belief of a Deity and a future state. The subject, viewed in this light, may be considered under two aspects, the influence of the opposite systems; I. On the principles of morals; II. On the formation of character. The first may be styled their direct, the latter their equally important, but indirect consequence and tendency.

I. The skeptical or irreligious system subverts the whole

foundation of morals. It may be assumed as a maxim, that no person can be required to act contrary to his greatest good, or his highest interest, comprehensively viewed in relation to the whole duration of his being. It is often our duty to forego our own interest *partially*; to sacrifice a smaller pleasure for the sake of a greater; to incur a present evil in pursuit of a distant good of more consequence. In a word, to arbitrate among interfering claims of inclination, is the moral arithmetic of human life. But to risk the happiness of the whole duration of our being, in any case whatever, would be foolish, were it possible; because the sacrifice must, by the nature of it, be so great as to preclude the possibility of compensation.

As the present world, on skeptical principles, is the only place of recompense, whenever the practice of virtue fails to promise the greatest sum of present good, cases which often occur in reality, and much oftener in appearance, every motive to virtuous conduct is superseded; a deviation from rectitude becomes the part of wisdom; and, should the path of virtue, in addition to this, be obstructed by disgrace, torment, or death, to persevere would be madness and folly, and a violation of the first and most essential law of nature. Virtue, on these principles, being in numberless instances at war with self-preservation, never can, or ought to become a fixed habit of the mind.

The system of infidelity is not only incapable of arming virtue for great and trying occasions, but leaves it unsupported in the most ordinary occurrences. In vain will its advocates appeal to a moral sense, to benevolence, and sympathy; for it is undeniable, that these impulses may be overcome. In vain will they expatiate on the tranquillity and pleasure attendant on a virtuous course; for, though you may remind the offender, that in disregarding them he has violated his nature, and that a conduct consistent with them is productive of much internal satisfaction; yet if he replies that his taste is of a different sort, that there are other gratifications which he values more, and that every man must choose his own pleasures, the argument is at an end. Rewards and punishments, assigned by infinite power, afford a palpable and pressing motive, which can never be neglected without

renouncing the character of a rational creature ; but tastes and relishes are not to be prescribed.

A motive in which the reason of man shall acquiesce, enforcing the practice of virtue at all times and seasons, enters into the very essence of moral obligation. Modern infidelity supplies no such motives ; it is, therefore, essentially and infallibly, a system of enervation, turpitude, and vice. This chasm in the construction of morals, can only be supplied by the firm belief of a rewarding and avenging Deity, who binds duty and happiness, though they may seem distant, in an indissoluble chain ; without which, whatever usurps the name of virtue is not a principle, but a feeling ; not a determinate rule, but a fluctuating expedient, varying with the tastes of individuals, and changing with the scenes of life.

Nor is this the only way in which infidelity subverts the foundation of morals. All reasoning on morals presupposes a distinction between inclinations and duties, affections and rules. The former prompt, the latter prescribe. The former supply motives to action ; the latter regulate and control it. Hence it is evident, if virtue have any just claim to authority, it must be under the latter of these notions ; that is, under the character of a law. It is under this notion, *in fact*, that its dominion has ever been acknowledged to be paramount and supreme. Without the intervention of a superior will, it is impossible there should be any moral laws, except in the lax metaphorical sense in which we speak of the laws of matter and motion.

Two consequences, the most disastrous to society, will inevitably follow the general prevalence of this system ; 1. the frequent perpetration of great crimes, 2. the total absence of great virtues.

1. In those conjunctures which tempt avarice or inflame ambition, when a crime flatters with the prospect of impunity, and the certainty of immense advantage, what is to restrain an atheist from its commission ? To say that remorse will deter him is absurd ; for remorse, as distinguished from pity, is the sole offspring of religious belief, the extinction of which is the great purpose of the infidel philosophy.

The dread of punishment or infamy from his fellow-creatures will be an equally ineffectual barrier ; because crimes are only committed under such circumstances as suggest the hope of concealment ; not to say, that crimes themselves will lose their infamy and their horror under the influence of that system, which destroys the sanctity of virtue by converting it into a low calculation of worldly interest. Here the sense of an ever-present Ruler, and of an avenging Judge, is of the most awful and indispensable necessity ; as it is that alone, which impresses on all crimes the character of folly as well as criminality ; shows that duty and interest in every instance coincide, and that the most prosperous career of vice, the most brilliant successes of criminality, are but *an accumulation of wrath against the day of wrath, and revelation of the righteous judgment of God.* *

As the frequent perpetration of great crimes is an inevitable consequence of the diffusion of skeptical principles, so, to understand this consequence in its full extent, we must look beyond their immediate effects, and consider the disruption of social ties, the destruction of confidence, the terror, suspicion, and hatred, which must prevail in that state of society in which barbarous deeds are familiar. The tranquillity which pervades a well-ordered community, and the mutual good offices which bind its members together, are founded on an implied confidence in the justice, humanity, and moderation of those among whom we dwell. So that the worst consequence of crimes is, that they impair the stock of public charity and general humanity. The dread and hatred of our species would infallibly be grafted on a conviction that we were exposed every moment to the surges of an unbridled ferocity, and that nothing but the power of the magistrate stood between us and the daggers of assassins. In such a state, laws, deriving no support from public manners, are unequal to the task of curbing the fury of the passions ; which, from being concentrated into selfishness, fear, and revenge, acquire new force. Terror and suspicion beget cruelty, and inflict injuries by way of prevention. Pity is extinguished in the stronger impulse of self-preservation. The tender and generous affections are crushed ; and nothing is seen but the retaliation of wrongs,

* Romans ii. 5.

and the fierce and unmitigated struggle for superiority. This is but a faint sketch of the incalculable calamities and horrors we must expect, should we be so unfortunate as ever to witness the triumph of modern infidelity.

2. This system is a soil as barren of great and sublime virtues, as it is prolific in crimes. By great and sublime virtues, are meant those, which are called into action on great and trying occasions, which demand the sacrifice of the dearest interests and prospects of human life, and sometimes of life itself; the virtues in a word, which, by their rarity and splendor, draw admiration, and have rendered illustrious the character of patriots, martyrs, and confessors. It requires but little reflection to perceive, that whatever veils a future world, and contracts the limits of existence within the present life, must tend, in a proportionable degree, to diminish the grandeur and narrow the sphere of human agency.

As well might we expect exalted sentiments of justice from a professed gamester, as look for noble principles in the man whose hopes and fears are all suspended on the present moment, and who stakes the whole happiness of his being on the events of this vain and fleeting life. If he be ever impelled to the performance of great achievements in a good cause, it must be solely by the hope of fame; a motive, which, besides that it makes virtue the servant of opinion, usually grows weaker at the approach of death; and which, however it may surmount the love of existence in the heat of battle, or in the midst of public observation, can seldom be expected to operate with much force on the retired duties of a private station.

In affirming that infidelity is unfavorable to the higher class of virtues, we are supported as well by facts, as by reasoning. It is not my wish to load infidels with unmerited reproach; but to what history, to what record, will they appeal for the traits of moral greatness exhibited by their disciples? Where shall we look for the trophies of infidel magnanimity or atheistical virtue? Not that it is intended to accuse them of inactivity; they have, during the last and present century, filled the world with the fame of their exploits; exploits of a different kind, indeed, but of imperishable memory and disastrous lustre.

It is very true, that great and splendid actions are not the

ordinary employment of life, but must, from their nature, be reserved for extraordinary occasions ; yet that system is essentially defective which leaves no room for their existence. They are important, both from their immediate advantage and their remote influence. They sometimes save, and always render illustrious, the age and nation in which they appear. They raise the standard of practical morals ; they arrest the progress of degeneracy ; they diffuse a lustre over the path of life. Monuments of the greatness of the human mind, they present to the world the august image of virtue in her sublimest form, from which beams of light and glory issue to remote times and ages ; while their commemoration by the pen of historians and poets awakens, in distant bosoms, the sparks of kindred excellence.

Combine the frequent and familiar perpetration of atrocious deeds with the dearth of great and generous actions, and we have the exact picture of that condition of society which completes the degradation of the species ; the frightful contrast of dwarfish virtues and gigantic vices, where every thing good is mean and little, and every thing evil is rank and luxuriant. A dull and sickening uniformity prevails, broken only at intervals by volcanic eruptions of anarchy and crime.

II. Hitherto we have considered the influence of skepticism on the principles of virtue, and endeavoured to show, that it despoils it of its dignity, and lays its authority in the dust. Its influence on the formation of character comes now to be considered. The actions of men are oftener determined by their character than by their interest ; their conduct takes its color more from their acquired tastes, inclinations, and habits, than from a deliberate regard to their greatest good. It is only on great occasions, that men are accustomed to take an extended survey of their future course, and that they suffer the dictates of reason to give a new direction to their movements. The actions of each day are, for the most part, links which follow each other in the chain of habit. Hence, the great effort of practical wisdom is, to imbue the mind with right tastes, affections, and habits, — the elements of character and the springs of action.

1. The exclusion of a Supreme Being, and of a superintending Providence, tends directly to the destruction of moral taste. It robs the universe of all finished and consummate excellence, even

in idea. The admiration of perfect wisdom and goodness, for which we are formed, and which kindles such unspeakable rapture in the soul, finding in the regions of skepticism nothing to which it corresponds, droops and languishes. Revelation, by displaying the true character of God, affords a pure and perfect standard of virtue ; heathenism, one in various respects defective ; the skepticism of late times, which excludes the belief of all superior powers, affords no standard at all. According to this system, human nature knows nothing higher or more excellent than itself. All above and around it being shrouded in darkness, and the prospect confined to the tame realities of this life, virtue has no room to expand itself ; nor are any excursions permitted into that unseen world, the true element of the great and good, by which it is fortified with motives equally calculated to satisfy the reason, to delight the fancy, and to impress the heart. As this part of the subject, however, has been illustrated elsewhere, it will not be enlarged upon in this connexion.*

2. Modern infidelity not only tends to corrupt the moral taste ; it also promotes the growth of those vices which are the most hostile to social happiness. Of all the vices incident to human nature, the most destructive to society are vanity (egotism), ferocity, and unbridled sensuality ; and these are precisely the vices which infidelity is calculated to nourish.

That the love, fear, and habitual contemplation of a Being infinitely exalted, or, in other terms, devotion, is adapted to promote a sober and moderate estimate of our own excellences, is incontestable ; nor is it less evident, that the neglect or exclusion of devotion must be favorable to pride. The criminality of pride will not, perhaps, be very readily admitted ; for, though there is no vice more opposite to the spirit of Christianity, yet there is none, which, even in the Christian world, has, under various pretences, been treated with so much indulgence.

There is, it will be confessed, a delicate sensibility to character, a sober desire of reputation, a wish to possess the esteem of the wise and good, felt by the purest minds, which is at the farthest remove from arrogance or vanity. The humility of a noble mind scarcely dares to approve of itself, until it has se-

* See above, pp. 65 - 67.

cured the approbation of others. Very different is that restless desire of distinction, that passion for theatrical display, which inflames the heart and occupies the whole attention of vain men. This, of all the passions, is the most unsocial, avarice itself not excepted. The reason is plain. *Property* is a kind of good which may be more easily attained, and is capable of more minute subdivisions, than *fame*. In the pursuit of wealth, men are led, by an attention to their own interest, to promote the welfare of each other; their advantages are reciprocal; the benefits which each is anxious to acquire for himself, he reaps in the greatest abundance from the union and connexions of society. The pursuits of vanity (egotism) are quite contrary. The portion of time and attention which mankind are willing to spare from their vocations and pleasures, to devote to the admiration of each other, is so small, that every successful adventurer is felt to have impaired the common stock. The success of one is the disappointment of multitudes. For, though there be many rich, many virtuous, many wise men, *fame* must necessarily be the portion of but few. Hence every vain man, every man in whom vanity is the ruling passion, regarding his rival as his enemy, is strongly tempted to rejoice in his miscarriage, and repine at his success.

Besides, as the passions are seldom seen in a simple, unmixed state, so vanity, when it succeeds, is converted into arrogance; when it is disappointed (and it is often disappointed), it is exasperated into malignity, and corrupted into envy. In this case, the vain man commences a determined misanthropist. He detests that excellence he cannot reach. He detests his species, and longs to be revenged for the unpardonable injustice he has sustained, in their insensibility to his merits. He lives upon the calamities of the world; the vices and miseries of men are his element and his daily bread. Virtues, talents, and genius are his natural enemies; which he persecutes with instinctive eagerness and unrelenting hostility. Such a disposition issues from the dregs of disappointed vanity, a disease which taints and vitiates the whole character, wherever it prevails. It forms the heart to such a profound indifference to the welfare of others, that, whatever appearances he may assume, or however wide the circle of his seeming virtues may extend, the vain man

will infallibly be found to be his own centre. Attentive only to himself, absorbed in the contemplation of his own perfections, instead of feeling tenderness for his fellow-creatures as members of the same family, as beings with whom he is appointed to act, to suffer, and to sympathize, he considers life as a stage on which he is performing a part, and mankind in no other light than spectators. Whether he smiles or frowns, whether his path is adorned with the rays of beneficence, or his steps are dyed in blood, an attention to self is the spring of every movement, and the motive to which every action is to be referred.

Nor is a mind inflated with vanity (egotism) more disqualified for right action than for just speculation, or better disposed to the pursuit of truth than to the practice of virtue. To such a mind, the simplicity of truth is disgusting. Careless of the improvement of mankind, and intent only upon astonishing with the appearance of novelty, the glare of paradox will be preferred to the light of truth; opinions will be embraced, not because they are just, but because they are new; the more flagitious, the more subversive of morals, the more alarming to the wise and good, the more welcome to men who estimate their literary powers by the mischief they produce, and who consider the anxiety and terror they impress, as the best measure of their renown. Truth is simple and uniform, while error may be infinitely varied; and, as it is one thing to start paradoxes, and another to make discoveries, we need the less wonder at the prodigious increase of modern philosophers.

We have been so much accustomed to consider extravagant self-estimation merely as a *ridiculous* quality, that many will be surprised to find it treated as a vice pregnant with serious mischief to society. But, to form a judgment of its influence on the manners and happiness of a nation, it is necessary only to look at its effects in a family; for bodies of men are only collections of individuals, and the greatest nation is nothing more than an aggregate of a great number of families. Conceive of a domestic circle, in which each member is elated with a most extravagant opinion of himself, and a proportionable contempt of every other member; is full of little contrivances to catch applause, and, whenever he is not praised, is sullen and disappointed. What a

picture of disunion, disgust, and animosity would such a family present. How utterly would domestic affection be extinguished, and all the purposes of domestic society be defeated. The general prevalence of such dispositions must be accompanied by an equal proportion of general misery.

The same restless and eager vanity which disturbs a family, when it is permitted to mingle with political affairs, distracts a kingdom or commonwealth ; infusing into those intrusted with the enactment of laws, a spirit of rash innovation and daring empiricism, a disdain of the established usages of mankind, a foolish desire to dazzle the world with new and untried systems of policy, in which the precedents of antiquity and the experience of ages are only consulted to be trodden under foot ; and into the executive department of government, a fierce contention for preëminence, an incessant struggle to supplant and destroy, with a propensity to calumny and suspicion, proscription and massacre. The nature and progress of vanity, and its kindred passions, were more strikingly displayed in the French revolution than they have ever been elsewhere ; a revolution, which, viewed in its true light, ought to be contemplated as a grand experiment on human nature.

If such be the mischiefs, both in public and private life, resulting from an extravagant self-estimation, it remains next to be considered whether Providence has supplied any medicine to correct it ; for, as the reflection on excellence, whether real or imaginary, is always attended with pleasure to the possessor, vanity is a moral disease, deeply seated in human nature.

Humility, cherished under an habitual sense of the Divine presence and of our sinfulness in the sight of God, evinced by hearty repentance, is the appointed antidote to this disease of our nature. Humility is, in truth, the most precious fruit of religion. In the teaching of our Saviour, there is no maxim so frequent as the following ; “ *Whosoever exalteth himself shall be abased, and he that humbleth himself shall be exalted.*” Religion, and that alone, teaches *absolute* humility ; by which is meant, a sense of our *absolute* nothingness in the view of infinite greatness and excellence. That sense of inferiority, which results from the compari-

son of men with each other, is often an unwelcome sentiment forced upon the mind, which may rather embitter the temper than soften it ; — that, which devotion impresses, is soothing and delightful. The devout man loves to humble himself at the footstool of his Creator, because it is there that he attains the most lively perceptions of the Divine excellence, and the most tranquil confidence in the Divine favor. In so august a presence, he sees all distinctions lost, and all beings reduced to the same level. He looks at his superiors without envy, and at his inferiors without contempt ; and, when from this elevation he descends to mix in society, the conviction of superiority, which must in many instances be felt, is a calm inference of the understanding, and no longer a restless, importunate, and absorbing passion.

Again, ferocity and inhumanity of character were enumerated as another effect of skeptical impiety. As it has already been shown, that vanity and its accompanying kindred passions harden the heart, and that religion (humility) is the only effectual antidote, the connexion between irreligion and inhumanity is, in this view, obvious. But there is another light, in which this part of the subject may be viewed, in my judgment, much more important, though seldom adverted to. The belief, that man is a moral and accountable being, destined to survive the stroke of death, and to live in a future world in a never-ending state of happiness or misery, makes him a creature of incomparably more *consequence*, than the opposite belief. When we consider him as placed here by an Almighty Ruler in a state of probation, and that the present life is his period of trial, the first link in a vast and interminable chain which stretches into eternity, he assumes a character of dignity in our eyes. Every thing which relates to him becomes interesting ; and to trifle with his happiness is felt to be the most unpardonable levity. If such be the destination of man, it is manifest, that in the qualities which fit him for it, his principal dignity consists ; — *his moral greatness is his true greatness*. Let the skeptical principles be admitted, which represent him, on the contrary, as the offspring of chance, connected with no superior power, and sinking into annihilation at death, and he is a contemptible creature, whose existence and happiness are alike

insignificant. The characteristic difference is lost between him and the brute creation, from which he is no longer distinguished, except by the vividness and multiplicity of his perceptions.

If we reflect on that part of our nature which disposes us to humanity, we shall find, that, where we have no particular attachment, our sympathy with the sufferings, and concern for the destruction, of sensitive beings, are in proportion to their supposed importance in the general scale ; or, in other terms, to their capacity for intelligence and enjoyment. We feel, for example, vastly more at witnessing the destruction of a man, than of an inferior animal, because we consider it as involving the extinction of a vastly greater sum of intelligence and happiness. For the same reason, he who would shudder at the slaughter of a large animal, will see, without a pang, a thousand insects perish. Our sympathy with the calamities of our fellow-creatures is adjusted by the same measure. We feel more powerfully affected with the distresses of fallen greatness than with equal or greater distresses suffered by persons of inferior rank ; because, having been accustomed to associate with an elevated station the idea of superior happiness, the loss appears to us the greater, and the wreck the more extensive. But the disproportion in importance between man and the meanest insect is not so great, as that which subsists between man considered as *mortal*, and as *immortal* ; that is, between man as he is represented by the system of skepticism, and by that of Divine revelation ; for the enjoyment of the meanest insect bears some proportion, though a very small one, to the present happiness of man ; but the happiness of time bears none at all to that of eternity. The skeptical system, therefore, sinks the importance of human existence to an inconceivable degree.

From these principles results the following important practical inference, — that to extinguish human life by the hand of violence must be quite a different thing in the eyes of a skeptic, from what it is in those of a Christian. With the skeptic, it is nothing more than diminishing by one the many millions of fugitive and contemptible creatures, which exist on the earth. The Christian sees, in the same event, an accountable being cut off from a state of probation, and hurried, perhaps unprepared, into the presence of his Judge, to hear that final, that irrevocable sentence, which

is to fix him for ever in an unalterable condition of felicity or woe. The former perceives in death nothing but its *physical circumstances*; the latter is impressed with the magnitude of its *moral consequences*. It is the moral relation which man is believed to bear to a superior power, the awful idea of accountability, the influence which his present dispositions and actions are conceived to have upon his eternal destiny, more than any superiority of intellectual powers, abstracted from these considerations, which invest him with such mysterious grandeur, and constitute the firmest guard on the sanctuary of human life.

As the advantage of the armed over the unarmed, is not seen until the moment of attack, so in that tranquil state of society in which law and order maintain their ascendancy, it is not perceived, perhaps not even suspected, to what an alarming degree the principles of modern infidelity leave us naked and defenceless. But, let the state be convulsed, let the mounds of regular authority be once overflowed, and the still, small voice of law drowned in the tempest of popular fury, (events which the experience of the present century shows to be possible,) it will then be seen that atheism is a school of ferocity and barbarism; and that, having taught its disciples to consider mankind as little better than a nest of insects, they will be prepared, in the fierce conflicts of party, to trample upon them without pity, and extinguish them without remorse.

Having shown that the principles of infidelity facilitate the commission of crimes, by removing the restraints of fear; and that they foster the arrogance of the individual, while they inculcate the most despicable opinion of the species; the inevitable result is, that a haughty self-confidence, a contempt of mankind, together with a daring defiance of religious restraints, are the natural ingredients of the atheistical character. Nor is it less evident that these are, of all others, the dispositions which most forcibly stimulate to violence and cruelty. We may, therefore, settle it in our minds, as a maxim never to be effaced or forgotten, that atheism is an inhuman, sanguinary, ferocious system, equally hostile to every useful restraint, and to every virtuous affection; that leaving nothing above us to excite awe, nor around us to awaken tenderness, it wages war with heaven and with

earth ; its object is to dethrone God, its tendency is to destroy man.

There is a third vice, not less destructive to society than either of those which have been already mentioned, to which the system of modern infidelity is favorable ; that is, unbridled sensuality ; the licentious and unrestrained indulgence of those passions which are essential to the continuation of the species. The magnitude of those passions, and their supreme importance to the existence, as well as the peace and welfare of society, have rendered it one of the first objects of solicitude with every wise legislator, to restrain them by such laws, and to confine their indulgence within such limits, as shall best promote the great ends for which they were implanted.

Among innumerable benefits, which the world has derived from the Christian religion, a superior refinement in the sexual sentiments, a more equal and respectful treatment of women, greater dignity and permanence conferred on the institution of marriage, are not the least considerable ; in consequence of which, the purest affections and the most sacred duties are grafted on the stock of the strongest instincts. If the recorded sentiments and feelings of the leading champions of infidelity are examined, it will be seen to be their aim to rob mankind of these benefits, and throw them back into a state of gross and brutal sensuality.*

Under every possible aspect in which infidelity can be viewed, it extends the dominion of sensuality ; it repeals and abrogates every law by which Divine revelation has, under such awful sanctions, restrained the indulgence of the passions. The disbelief of a supreme, omniscient Being, which it inculcates, releases its disciples from an attention to the *heart*, from every care but the preservation of outward decorum ; and the exclusion of the dearest affections and an unseen world leaves the mind immersed in visible, sensible objects. The religious affections and sentiments are, in fact, and were intended to be, the proper corrective and antidote of sensuality, the great deliverer from the thralldom of the appetites, by opening a spirit-

* Such examination has been made by the late President Dwight, in two Sermons on Infidelity.

ual world, and inspiring hopes and fears, and consolations and joys, which bear no relation to the material and sensible universe. The criminal indulgence of the sensual passions admits but of two modes of prevention ; the establishment of such laws and maxims in society as shall render lewd profligacy impracticable or infamous, or the infusion of such principles and habits as shall render it distasteful. Human legislatures have encountered the disease in the first, the truths and sanctions of revealed religion in the last, of these methods ; to both of which the advocates of modern infidelity are equally hostile.

The infidels of late times, therefore, have aimed to destroy the very *substance* of morals. The disputes on moral questions, hitherto agitated among philosophers, have respected the *grounds* of duty, not the *nature of duty itself* ; or they have been merely metaphysical, and related to the *history* of moral sentiments in the mind, the sources and principles from which they were most easily deduced ; — they never turned on the quality of those dispositions and actions, which were to be denominated virtuous. In the firm persuasion that the love and fear of the Supreme Being, the sacred observance of promises and oaths, reverence to magistrates, obedience to parents, gratitude to benefactors, conjugal fidelity, and parental tenderness, were primary virtues, and the chief support of every commonwealth, they were unanimous.* The curse denounced upon such as remove ancient landmarks, upon those who call good evil, and evil good, put light for darkness, and darkness for light ; who employ their faculties to subvert the eternal distinctions of right and wrong, and thus to poison the streams of virtue at their source, falls with accumulated weight on the advocates of modern infidelity. †

* See above, pp. 6 – 11.

† This chapter consists almost entirely of an abridgment of the language and a condensation of the sentiments of the late Rev. Robert Hall's celebrated "Sermon on Modern Infidelity." It cannot be unknown to my readers, that within a few years, skepticism, of the grossest kind (Atheism), has raised its offensive head in Boston, New York, and some other of our large cities. Once let it become strong enough, and proof will not be wanting of its destructive tendency and influence.

C O N C L U S I O N .

REVIEW OF THE MEANS WHICH MAY BE RELIED UPON TO IMPROVE THE MORAL CONDITION OF MANKIND, AND TO ADVANCE HUMAN HAPPINESS.

THE relations, which mankind sustain to God, to their country, and to one another, have now been carefully surveyed, and the moral duties arising from these relations have been explained ; so far as was consistent with the limits of an *elementary treatise* on Moral Philosophy. The personal duties of mankind, that is, the duties which they owe to themselves, have been illustrated. The moral principles, practices, influences, and tendencies of the chief professions and employments of life, so far as regards the moral duties which they involve, have, likewise, been reviewed. Certain duties and virtues, too, of a character peculiarly Christian, and certain vices and evils of a public nature which severely afflict mankind, have been specially considered and elucidated.

It seems natural and appropriate to bring my labors to a conclusion, by inquiring, I. into the best practical means of improving the moral condition of mankind, and, II., into the best practical means of advancing human happiness.

I. There are several practical means, on which we may rely, to improve the moral condition of mankind.

1. First and principally, we must rely, for the extension of sound moral principles and practice among mankind, on the extension of Christianity, by the stated preaching of the Gospel where it is now known, by the labors of missionaries where it is unknown, and by the use of the press in circulating the Scriptures, and other religious books and tracts. Christianity has done much, very much, already, for the moral renovation of mankind. It is compared, by its Divine author, to leaven, gradually making its way until it has leavened the entire mass subjected to its influence. * Every

* Matt. xiii. 33.

nation on earth will eventually be blessed by its purifying and renovating moral triumphs. It has diminished the horrors and calamities of war. The spirit of war, wherever Christianity has been unknown, has been a relentless and sanguinary vengeance, knowing not how to be satisfied but by the destruction of its victim. This fell spirit has, in a good measure, been softened in the conduct of modern warfare. It has meliorated the calamitous lot of captives. Anciently, death, slavery, or an enormous ransom, was their customary doom everywhere ; and this still continues to be the case in all countries not Christian. In arbitrary governments, it has relaxed the stern rigor of despotic sway. It has suppressed infanticide. It has secured the life and limbs of the slave against the caprice or passion of a tyrannical master. By securing the frequent periodical recurrence of a day of rest, it has elevated the character and meliorated the condition of the laboring classes of every Christian country. It has restored the wife, from a condition of humiliation and servitude, to be the companion, the associate, the confidential adviser and friend of the husband. It has restored marriage to the standard ordained "at the beginning," the indissoluble union of two individuals, and has thus furnished the only reasonable security for domestic tranquillity, and the suitable nurture and education of children. Under its influence, the combats of gladiators, the impurities of superstitious rites and unnatural vices, are no longer tolerated. The poor, the sick, and the forsaken are relieved by the numerous hospitals and asylums, which are provided in all countries in which its authority is acknowledged. Moreover, it has been chiefly instrumental in rendering the nations of Christendom superior, in virtue, freedom, intelligence, and power, to all the other nations of the earth. Nor are we to estimate its principal benefits by what is visible. "The kingdom of God cometh not with observation ;" — it does not consist in external splendor ; its chief influence is unseen, renewing and sanctifying the hearts of the multitude, who throng the obscure and humble walks of life. *

It is admitted, for it cannot in candor and truth be denied,

* See the author's Sermon, before the Convention of the Protestant Episcopal Church of the Diocese of South Carolina, 13th of February, 1833 ; pp. 23, 24, 2d edition.

that much immorality remains in Christian countries, amidst the meridian lustre of Christianity. Still *the prevailing tone and tendency of things*, in Christian countries, is favorable to religion and virtue. *The ascendancy* is manifestly on the side of sound principles and sound morals. Vice, when practised, is shy and shamefaced, and is compelled to seek concealment, — it does not venture to appear in open day. Not so, however, in countries where Mahometanism and heathenism have absolute sway. Seneca says, of his own times, “All is full of criminality and vice; indeed, much more of these is committed than can be remedied by force. A monstrous contest of abandoned wickedness is carried on. The lust of sin increases daily; and shame is daily more and more extinguished. Discarding respect for all that is good and sacred, lust rushes on, wherever it will. Vice no longer hides itself. It stalks forth before all eyes. So public has abandoned wickedness become, and so openly does it flame up in the minds of all, that innocence is no longer *seldom*, but has wholly ceased to exist.”*

Professor Tholuck (of the University of Halle in Germany) has lately, with admirable diligence, candor, and learning, reviewed the origin, nature, and moral influence of heathenism; the estimate made of heathenism, by the heathen themselves; the heathenism of the Greeks and Romans, in particular; the influence of heathenism upon the lives of heathens, particularly among the Greeks and Romans; the heathen philosophy, as it existed in the time of Christ; and the moral influence of the study of classical literature. He has demonstrated, with extraordinary fulness of learning and research, — that heathenism and its consequent vices, as St. Paul says, sprung from mankind, when they knew God, not glorifying him as God, nor being thankful to him as such, but substituting, for the glory of the immutable God, the image of the form of perishable man, of birds, of beasts, and of creeping things, † — that, with few exceptions of countries and individuals, (among the former, placing the Roman commonwealth in its earlier times, and among the latter, placing Socrates in the foremost rank,) the most unbridled, indiscriminate, and

* De Irà, II. 8.

† Romans i. 17 – 32.

disgusting licentiousness was not only openly practised, but publicly encouraged, excited, sanctioned, and facilitated, by the customs and institutions of heathenism, — that the heathen were accustomed to justify themselves in their abominations, by the example of their divinities, as is shown by the writings of the ancients, — that the moral and educated heathen well understood, that their religion was vastly more efficacious in calling forth sin, than in subduing its power, — that heathenism almost inevitably led to the grossest superstition on the part of the common people, and to unbelief, contempt, and disgust on the part of the educated, — that the number of the gods in Greece and Rome, up to the coming of Christianity, was continually increasing, and the superstitious worship of them, the multitude of their priests, temples, and rites had increased beyond measure, — that, the more abominable vice and licentiousness became, on the one hand, the more did men yield themselves up, on the other, to superstition, in order to quiet conscience and appease their divinities, — and, finally, that heathenism was absolutely without power to elevate mankind to a condition of freedom, purity, and happiness, — on the contrary, that during its sway, the vices and sufferings of the human race were continually increasing.* Such, too, is a correct picture of modern heathenism, as testified to by those who have been within the sphere of its influence, and witnessed its abominations.†

Moreover, wherever the influence of Christianity has been cast aside, wherever infidelity has gained the ascendancy, it is matter of *history*, that the desecration of every thing pure in morals, as well as sacred in religion, has been the consequence. And, in concluding this part of my argument, I again avail myself of the aid of Professor Tholuck, who has skilfully and forcibly compared the effects of infidelity and heathenism on the morals of mankind.

“In the French revolution,” says he, “when the people made a public renunciation of the God that had created and redeemed them, all the vices became prevalent of which human

* See Robinson’s *Biblical Repository* for 1832, especially pp. 81, 82, 107, 250, 251, 263, 264, 284, 285, 443, 444, 459, 462, 463, 465, 467.

† See the *Missionary Herald*, *passim*.

beings, who have broken loose from the holy God of Christians, are capable ; but still never did this abandonment, even in its wildest intoxication, proceed to such excesses as appear throughout the whole succession of the Roman emperors. An emperor who fought naked before the people, at the shows of the gladiators, like several of the Roman emperors ; an emperor who established a brothel in his palace, and required the toll to be paid to himself, like Caligula ; an emperor who drove through the streets of his capital with his naked mistress, like Nero ; an empress who publicly commended herself to the coarsest lovers, and exposed her embraces for sale, like Messalina ; an emperor who first dishonored his sister and then put her to death, like Commodus ; an emperor who distributed the highest offices according to the greater or less degree of capacity for licentiousness, like Heliogabalus ; emperors, who caused persons to be killed in sport, for the sake of seeing them die ; who caused bridges to be suddenly broken down, that they might enjoy the sight of a multitude of people sinking in the waves, — such rulers, had not even degenerate (though Christian) Byzantium ; — for, only when centuries shall have obliterated every vestige of Christianity in the world, and in the hearts of men, is it possible that such enormities should be perpetrated.”* Well may we rely, therefore, for the preservation and extension of good morals, on the preservation and strengthening of Christianity, in countries where it is now acknowledged and respected ; and on the propagation of its blessed influence in those countries, throughout the earth, which still sit in the shadow and darkness of heathenism and Mahometanism.

2. Next to Christianity, and as her most natural and effective ally, associate, and handmaid, we must rely on the influence of *knowledge* for the preservation and advancement of the cause of good morals. In truth, the moral habits, which the pursuit of knowledge has a tendency to create and foster, form one of its chief recommendations. Knowledge is, essentially and directly, power ; but is also, indirectly, virtue. And this it is in two ways. It can hardly be acquired without the exertion of several

* Robinson's Biblical Repository, for 1832, p. 462.

moral qualities of high value ; and, having been acquired, it nurtures tastes, and supplies sources of enjoyment, admirably adapted to withdraw the mind from degrading and corrupting pleasures. Some distinguished scholars, no doubt, have been bad men ; but we do not know how much worse they might have been, but for their love of learning, which, as far as it did operate upon their characters, could not have been otherwise than beneficial. A genuine relish for intellectual enjoyments is naturally as inconsistent with a devotion to the coarser gratifications of sense, as the habit of assiduous study is with that dissipation of time, of thought, and of faculty, which a life of vicious pleasure implies.*

It is not known to me, that the salutary tendency of education and knowledge has ever been questioned in this country, from any respectable quarter ; but it has lately been called in question in England, under circumstances calculated to arrest attention. In a debate on prison discipline, in the House of Lords, on the 20th of June, 1834, Lord Wharncliffe stated it as his opinion, “ that the moral effect of popular education had been unfavorable in every country ; and, in support of this opinion, he referred to the report of the French Commissioners on the state of education in the United States. He said, these Commissioners declared it to be the result of their inquiry, that the more knowledge was diffused the more crime was increased. This they attributed to the circumstance, that knowledge created wants among the humbler classes, which the perpetration of crime alone could gratify. Knowledge multiplied social relations ; it produced a desire for social enjoyments ; and the means of cultivating those relations, and indulging in those enjoyments, could not be honestly obtained by the lower classes in their present condition. Such was the opinion of the French Commissioners. He was very much afraid, he said, that those gentlemen were right, and that, the greater the diffusion of education in the country, the greater was the temptation to crime. He by no means doubted, that a proper discipline of the mind in youth was highly advantageous, but he very much doubted if the mere acquisition of knowledge, as such, was so. Of this he was certain, and he said it with re-

* Library of Entertaining Knowledge, Vol. VIII. Part I. p. 1.

gret, that the kind and degree of education which had hitherto been introduced into this country (England), had not had the effect of diminishing crime.”

In the same debate, Lord Melbourne said, in reply, “that it was not to be made a charge against the church, against the schools and universities of the country, against mechanics’ institutes and societies, that they had not produced what, in such a state of society, was an impossibility ; to wit, perfect purity and virtue. His noble friend (Lord Wharncliffe) had said, he did not perceive that any of those advantages had resulted from education which had been anticipated, nor did he expect that any of those advantages would flow from it in future. But, in saying this, he had not made any distinction between education and the objects to which it was directed. The object of education was the diffusion of knowledge, and knowledge, as they were justly told, was power. But power of itself was neither good nor bad, but beneficial or disadvantageous, according as it was used or applied. Knowledge itself did not secure virtue, and they knew by melancholy examples, that the possession of the highest mental endowments, and the most cultivated intellect, did not (always) save the possessors from the stains of immorality and vice. *Bonis literis Græcis imbutus, bonam mentem non induerat.* The effects resulting from education, must depend on the nature and object of the education. If the education given were such as to give the lower orders opinions above their situation, and to impart to them a distaste for labor, it would be the most fatal and destructive gift which could be presented to them, — an apple from the tree of death. But, if the education given to them were such, as to teach them the necessity of labor, and of conforming themselves to their situations in life, he could have no doubt that education, based upon such principles, and conducted in such a manner, would be productive of the most advantageous results.”

On the same occasion, Lord Brougham (then Lord Chancellor) said, “it was very possible, that the diminution of crime had not borne that proportion which sanguine men expected, to the progress of improvement in society. But this circumstance ought not to fill them with despair, with apprehension for the future, or regret for their past efforts, or even make them disin-

clined to continue those efforts in the same direction. The question in this case was, whether the increase of knowledge, the more general diffusion of it amongst all classes of the community, tended to prevent the commission of crime? He was far from being able to come to the conclusions, which had been somewhat more dogmatically stated, than he should have expected, in the report of two French gentlemen sent out by the French king, ‘that it was now universally admitted, that those parts of the world where knowledge was most diffused were not the most exempt from crime, but rather the contrary.’ Who ever expected, that increasing the knowledge of the community would *immediately* and *directly* have the effect of diminishing crime? Whoever *did entertain* such an expectation, had no right to complain of disappointment, when he found the effect did not follow his meritorious labors, because he had formed groundless and unreasonable expectations. The *tendency* of knowledge, that is, its ultimate tendency, was, to improve the habits of the people, to better their principles, and to amend all that constitutes their character. Principles and feelings, combined, make up what is called human character. And that the tendency of knowledge is, to amend this character by the operation of knowledge, and in proportion to its diffusion, there can be no doubt. Its tendency is,” continued the Lord Chancellor, “to increase habits of reflection, to enlarge the mind, and render it more capable of receiving pleasurable impressions from, and taking an interest in, matters other than mere sensual gratification. This process operates likewise on the feelings, and necessarily tends to improve the character and conduct of the individual, to increase prudential habits, and to cultivate, in their purest form, the feelings and affections of the heart. Now,” he said “it hardly required any illustration from fact, or any demonstration from reasoning, to show, that the consequences of such a change in the human character must inevitably be, to diminish crime. The effects of knowledge are not new; they were well known to the ancients, who had said the same thing in much better words;

‘Emollit mores nec sinit esse feros.’

“Knowledge increases the prudential habits, and improves the

feelings and dispositions. That it is the tendency of education to diminish crime, is not matter of argument, but of fact. Let any man go into the gaols, and examine into the condition of the criminals, whether they were well-educated or not; and he was perfectly certain, that the well-educated would be found to form a very small proportion indeed of the criminals under apprehension, and a smaller still of those under conviction. But the way in which this mistake had been committed was this, — that, in reference to this question, knowledge and education had been too frequently confounded. It often happened, that what was taken for instruction and education, was merely the first step towards it; and many persons were considered as educated, who, in reality, were possessed of nothing worthy the name of knowledge and instruction. Reading, writing, and accounts have, during the last thirty years, too often been held to imply education. A person possessed of these, may, indeed, have the means of educating himself; but it does not, by any means, follow, that he will exercise these means.

“It is too much to assume,” continued he, “that, because in the agricultural districts, where fewer means of education exist, crime is not so abundant as in the better educated and most thickly populated manufacturing districts, therefore education has no influence in diminishing crime. No one ever said, that reading meant instruction and education; still less did any one ever say, that reading alone would produce the effects of instruction. His noble friend (Lord Melbourne) who spoke last, and who had spoken so eloquently, had entirely expressed his views. Knowledge is power, in whatever way it is used; but whether that power will be available to virtue, depends on *the kind of education* which may be given. If a people be educated without any regard to *moral instruction*, it is only putting instruments into their hands, which they have every motive to misuse. But it is asked, Why does not education put a stop to the commission of crime? Education certainly exercises a great influence over the moral character; but he never yet heard it asserted, that knowledge (of itself) would alter the nature of the human being, or convert him into something of a higher or purer order than the ordinary race of mortality.”

Such are the well-matured observations of three of the leading minds of the times in which we live, on the relation of education and knowledge to the formation and preservation of character. They seem to me, in a masterly manner, and in very brief terms, to do full justice to the subject. They show, that education and knowledge are not *always* a sufficient guaranty against the commission of crime, but are mighty instruments for either good or evil, according as they are directed ; and that the great object of education ought to be, *the cultivation of the moral feelings, habits, and character.*

There appears no reason to doubt, that crime is increasing in Great Britain and Ireland ;* and there is too much reason to believe, that this is the case in the United States. The tendency of the age is almost entirely physical, mechanical, and utilitarian, not moral and religious, — and moral education has been too much neglected, both in this country and in England. Our best educated men must be conscious of this defect in their education, if they will reflect on the subject. While, in our universities and colleges, the classical, physical, mathematical, and physico-mathematical chairs are ably filled, and a large portion of several years is devoted to instruction in these sciences, a small portion of time, perhaps a single session, or more probably a remnant of a session, is assigned to the study of moral philosophy. This physical and mechanical tendency of our times, ought to be firmly resisted and counteracted ; otherwise it threatens to draw every thing within its sway, and to overwhelm whatever of the intellectual, the moral, and the religious still remains to us.

3. Next to the reforming and purifying influence of Christianity, and the elevating and conservative tendency and effect of knowledge, we must rely upon the progress of *freedom*, maintained by well-regulated free governments and free institutions, for the improvement of morals. Nor is this view of the beneficial influence of general (political) freedom new, — it is at least as ancient as Longinus. This celebrated author observes, that almost all distinguished writers had been born and flourished

* See the American Almanac for 1837, pp. 69 - 72 ; Walsh's National Gazette, 19th and 21st of August, 1834.

in free States, and that this class of men became extinct with the extinction of freedom in every country. "Freedom," says he, "is fitted to nourish high thoughts, to inspire energy and vigor of mind, and a healthful tone of moral feeling." The encouragement, too, with which talents and character are rewarded in countries where free institutions prevail, is an incitement to those exertions, without which the best natural abilities must waste away and perish. He complains, that in his time (the third century), every thing was imbued with a spirit of (political) servitude; that not being permitted to taste of freedom, which he calls the most natural and beautiful fountain of intellectual excellence, the authors of his time were qualified for nothing but adulation and grandiloquence. He compares them, under the withering influence of the servile times in which they lived, to the fabulous dwarfs, whose growth was hindered by their being kept constantly enclosed in cases (*γλωττοκόματα*), and whose limbs were contracted by binding them strongly in swathing-bands. He calls all despotism the prison of the mind, and quotes the celebrated saying of Homer, — "that servitude takes away half the virtues of the man." *

The position now under discussion, has always been acknowledged, and ever assumed, both in this country and in Great Britain, the principal countries in which free institutions have permanently flourished, and, therefore, does not seem to require further illustration.

4. The effectual prohibition of gaming of every kind, of the lottery system, of the ordinary manufacture and sale of spirituous liquors, and the general discouraging of theatres, would contribute, beyond measure, to advance the cause of good morals. Gaming, intemperate drinking, and the spirit of lottery adventure ruin immense numbers directly, — they indirectly bring many more to their ruin. They are the great avenues which lead to "the broad road to destruction," which are thronged by the young, the rash, and the inexperienced, as well as by the hardened, the unprincipled, and the profligate, and from which, having once entered, they very seldom return. The constant or frequent attendance,

* De Sublimitate, Sect. 44. — Odyssey, XVII. 322.

too, on theatrical amusements, is a waste of time and substance, a most unwarrantable exposure to temptation, a countenancing of folly, extravagance, and sin, and has been the occasion of the fall of multitudes, never to rise again. All these are the younger branches of the great family of evils and vices ;— they have a most intimate relationship with infidelity, suicide, duelling, unbridled debauchery, and abandoned profligacy, assassination, and every enormity and atrocity which can degrade and ruin mankind.

5. But, above all, we must rely for the improvement of morals, on correcting public opinion through the press, the pulpit, and every other suitable instrument, which can be brought to bear on the subject.

The press not only makes known public opinion, it does much to form and guide it. It has been continually augmenting in efficiency from the first invention of printing, and has now become “ the most powerful engine, for good or for evil, on earth. It checks, controls, and governs the mighty men of the nations, and preserves the rights and freedom of mankind. It leads the way to reformation, to scientific and practical improvement, to good manners and morals, and to all the blessings of social life.” Men, who have neither “ feared God nor regarded man,” have been overawed by the animated and sustained assaults made by literature, and especially by the periodical press. Among the many instances which might be adduced to illustrate this remark, the case of the late celebrated Emperor of the French is, perhaps, the most striking and instructive. With an ascendancy over nearly all Europe, he had succeeded in silencing *the Continental press* by intimidation and menace. But the *British press* was still free, its voice was still heard above the tumults of war and convulsion of every kind. It was the only earthly power which he did not feel himself strong enough to silence, or set at defiance.

“ He attached, at all times,” says Sir Walter Scott, “ much importance to the influence of the press, which, in Paris, he had taken under his own especial superintendence, and for which he himself often condescended to compose or correct paragraphs. To be assailed, therefore, by the whole body of the British newspapers, almost as numerous as their navy, seems to have provoked him to the extremity of his patience.” Again, he says,

“ Bonaparte entertained a feverish apprehension of the effects of literature on the general mind, — the public journals were under the daily and constant superintendence of the police, and their editors were summoned before Fouché (the Minister of Police) when any thing was inserted which could be considered as disrespectful to his authority. Threats and promises were liberally employed on such occasions, and such journalists as proved refractory were soon made to feel, that the former were no vain menaces. The suppression of the offensive newspaper was often accompanied by the banishment or imprisonment of the editor. The same measure was dealt to authors, booksellers, and publishers, respecting whom the jealousy of Bonaparte amounted to a species of disease.” *

Such is the press, — and it is well for all those whose influence consists in the use of it, whether as authors or publishers, to understand, in its full measure, the mighty power of the instrument which they are accustomed to wield, and for the rightful employment of which they are morally responsible. The Emperor of the French, in the very zenith of his success, a success unrivalled, perhaps, in the history of the world, heard with anxiety, alarm, and dismay its tone of rebuke and reprobation, although couched in a foreign language, and coming from a foreign country. When we consider, therefore, that the private and public conduct of the great mass of mankind is regulated by no higher standard of morals than is required by the force of public opinion, and that public opinion is moulded and directed, as well as declared, chiefly by the press, we may understand how immeasurably important it is, that it should raise a voice, clear, decided, unshrinking, and well-sustained, on the side of good morals.

The pulpit, in Christian countries, is a means of moral influence and efficiency, whose value it is not easy to estimate too highly. Of the fifteen millions of inhabitants, which this country contains, a very large proportion are in the habit of listening to weekly pulpit instruction; and the portion thus instructed, by reason of their superior education, morals, and general under-

* Life of Napoleon, Vol. I. p. 500; Vol. II. p. 17.

standing, are accustomed to wield a commanding influence over those who are strangers to the moral and religious influence imparted by the pulpit. The pulpit, too, has a manifest advantage over the press, in respect to its use of the living voice, with which to make impression and convey instruction; in respect to its having an assembly drawn together on a day specially consecrated to the purpose of its instructions, and whose attention, therefore, is neither absorbed by the allurements of pleasure, nor by the cares and perplexities of business; and, again, in respect to morals and religion being the province, which it is its office specially to guard, illustrate, and enforce. And it may well be doubted, whether the pulpit has ever yet availed itself of the full measure of "its legitimate, peculiar powers," to give effective moral and religious instruction to mankind. Its efficiency must depend on the education, piety, and devotedness of the Christian ministry.

II. It only remains, that I give a very brief review of the best practical means of advancing human happiness.

In general terms, it may be said, that every thing promotive of good morals, is preëminently productive of happiness. In this view, Christianity, as it is the basis and sanction of Christian morals, is more effective than any, or every, other means of advancing the welfare of mankind. Again, knowledge is happiness, as well as power and virtue, — happiness, both in the acquisition and in the possession. And were the pursuit of it nothing more than an amusement, it would deserve the preference over all other amusements, for many reasons. Of these, indeed, the chief is, that it must, almost of necessity, become superior to a mere amusement; it must invigorate the mind as well as entertain it, and refine and elevate the character, while it gives to listlessness and weariness their most agreeable excitement and relaxation. But, omitting this consideration, it is still of all amusements the best, for other reasons. So far from losing any part of its zest with time, the longer it is known, the more it is loved. There is no other pastime that can be compared with it in variety. Even to him who has been longest conversant with it, it has still as much novelty to offer as at first. It may be resorted to by all, in all circumstances; by both sexes, by the young and the old, in the city and in the country, by him who has only his

stolen half hour to give to it, and by him who can give it the live-long day, in company with others, or in solitude, which it converts into the most delightful society.

Above all, it is the cheapest of all amusements, and consequently, the most universally accessible. Reading is emphatically the poor man's luxury ; for it is, of all luxuries, that which can be obtained at the least cost. Still the rich man is not without his advantages in this, as in other things. He may prosecute the business of mental cultivation to a much greater extent, than the poorer and middle classes of society. He has, if he chooses, a degree of leisure and freedom from interruption, greatly exceeding what the generality of men enjoy. Others have seldom more than the mere fragments of the day to give to study, after the bulk of it has been consumed in procuring merely the bread that perisheth ; he may make literature and philosophy the vocation of his life. To be enabled to do this, or to do it only in small part, many have willingly embraced comparative poverty in preference to riches. Among the philosophers of antiquity, some are said to have spontaneously disencumbered themselves of their inheritances, that the cares of managing their estates might not interrupt their philosophic pursuits. *

Moreover, political freedom is a most fertile source of happiness, if we may judge from the ardor with which it has been coveted, and the costly sacrifices of time and labor, of blood and treasure, which men have been ready to make, for the sake of obtaining it. The encouraging, elevating, and inspiriting effects ascribed to freedom by Longinus, have already been adverted to, as also the discouraging, dispiriting, and deteriorating tendency of despotism. The union of liberty with order is, indeed, a treasure, which cannot well be prized too highly. In this alone, are to be found the stability of governments, the prosperity of nations, the confidence of men of business, the regular employment of husbandmen, the improvement of the arts, and the steady growth of a people in knowledge, virtue, and happiness. Anarchy and confusion are the severest forms of tyranny. Freedom, the most precious inheritance of nations, is itself chiefly valuable

* See Library of Entertaining Knowledge, Vol. VIII. Part 1. pp. 2-4.

because it gives the only true security to person, property, and character ; security in action and in repose, security in the exercise of industry and in the enjoyment of its fruits, security alike from the oppression of a ruler and the annoyance of an evil-disposed neighbour, security in the expression of opinion and in the conscientious discharge of the duties of religion. This is the true union of “ *Principatus ac Libertas* ” ; the freedom of the people united with the just authority of the government ; public order and tranquillity made consistent with the supremacy of the law ; the golden medium between two extremes (“ *res dissociabiles* ”), in which Aristotle supposed all virtue to consist, and which the philosophical historian, Tacitus, contemplated as the supreme and ultimate perfection of all government. *

But it may be useful to do something more, by way of reviewing the best practical means of advancing human happiness, than to confine myself to general observations on the influence of Christianity, knowledge, and freedom, as sources of improvement and enjoyment to mankind, which, however important, do not exhaust the subject.

1. Human happiness may be advanced, by still further inventions and improvements in labor-saving machinery.

It may be laid down, as one of the results of experience amply sustained by the history of the arts, that mankind have advanced in intellectual, social, and moral improvement, in proportion as their physical condition and circumstances have improved. And that the physical improvement of mankind has been accomplished chiefly by labor-saving machinery, in the most extensive use of that phrase, may be easily and abundantly confirmed. At first, men grabled in the earth with their hands, when they had occasion to penetrate its surface, or remove any part of it from one place to another, and this practice is not unknown in some countries at the present day. † This primitive mode of working the earth was soon aided by the sharpened stick, which they afterward learned to harden in the fire. With this, their rude agriculture was pursued ; and this seems to have

* Life of Agricola, c. 3.

† See American Quarterly Review, for September 1834 ; p. 225.

been as far as the aborigines of this continent (except the Mexicans and Peruvians) had advanced. The interval between the metallic spade, the axe, and the hoe, and any implement of husbandry which they had made, was, in the progress of invention, immense. The invention of the plough and the cart, and the application of the strength of animals to agriculture, and to the carrying of burthens, was another most important step in advance. These were arts of the first necessity, they supplied the primitive wants of life, and civilization kept an exact pace with their invention.

The first garments, too, seem to have been the bark of trees, and the skins of wild animals caught in the chase ; consequently clothing was too scanty and too filthy to serve the purposes of health and decency, to say nothing of comfort and ornament. At length, the distaff and the loom were invented, and mankind made fresh advances in the career of improvement. Permanent means of subsistence, a sufficiency of clothing, and settled habitations, have almost, if not quite, always preceded any considerable advances in civilization.

Again, almost any one of the arts might be taken, and its history would be seen to keep an even pace with the improvement of mankind. The history of the working of iron, for instance, and applying it to the purposes of life, would afford the most abundant and instructive materials to this effect, if my limits permitted me to employ them. In truth, in tracing the history of our race, there is no clearer index, by which to mark the progress of civilization in any given era, than the extent and variety of the uses to which this most valuable of the metals was, at that time, applied. And its use is extending at this day more rapidly, perhaps, than at any previous period. Within a very few years, iron looms, iron roofs, iron steam-boats, and iron roads (railways) have been introduced.

But I must not dismiss this copious part of the subject, without enlarging still further. The first person who saw the descent of water to the ocean, saw, in such descent, *the elements of water power* ; and the first person who saw water boiling, saw, in the expansive force of the steam, *the elements of steam power*. But there was a wide interval between the first observation of the existence of water power, and even the first of the successive

men of genius who applied it, each with fresh success, to the moving of labor-saving machinery in mills of every description. Still wider was the interval between him who first saw water boiling, and the invention of the steam-engine, and its successive application to manufactures, to navigation, and to travelling, and the conveyance of merchandise on land.

Whether we consider steam-machinery with reference to the principles on which it is constructed, or to its multifarious applications by which human power has been so vastly augmented, we must regard it as the most interesting, the most beneficial, and the most wonderful of all the productions of human genius. The name of Watt, to whose wisdom, skill, and perseverance we are chiefly indebted, for bringing the steam-engine to its present state of perfection, and applying it to useful purposes, will be associated, in all future times, with this greatest and most successful triumph of science over physical difficulties. The most accomplished writer of the present century has left us a description both of the engine and of its illustrious improver ; and his powers, splendid as they were, were no more than adequate to do justice to such a subject. I should feel myself to be in the wrong, if I were to omit making his description a part of this illustration.

“ He (Mr. Watt) was a man,” says Sir Walter Scott, “ whose genius discovered the means of multiplying our national resources to a degree, perhaps, even beyond his own stupendous powers of calculation and combination ; bringing the treasures of the abyss to the surface of the earth ; giving the feeble arm of man the momentum of an afrite ; commanding manufactures to arise, as the rod of the prophet produced water in the desert ; affording the means of dispensing with that time and tide which wait for no man, and of sailing without that wind which defied the commands and threats of Xerxes himself. This potent commander of the elements, this abridger of time and space, this magician, whose cloudy machinery has produced a change in the world, the effects of which, extraordinary as they are, are perhaps only now beginning to be felt, was not only the most profound man of science, the most successful combiner of powers and calculator of numbers as adapted to practical purposes, was not only one of the most generally well-informed, but one of the best and kindest of

human beings. In his eighty-fourth year, his attention was at every one's question, his information at every one's command." *

It is more than intimated in this passage, that the steam-engine was still to receive new developments and new applications; and in this, the anticipations of this great author have not been disappointed. In the most improved cotton machinery, we see the story of Briareus with his hundred hands more than realized; on the bosom of the ocean, we sail in floating palaces, borne onward as if by enchantment; on the land, we fly, as it were, on the wings of the wind. These vast inventions and improvements in labor-saving machinery, with others which my limits do not permit me to mention, have contributed surprisingly to the physical comfort of the inferior classes of society, and have given a corresponding impulse to their intellectual, moral, and social improvement.

2. Happiness may also be advanced by the reformation of our criminal codes, and by the codification of our law generally, so far as the nature of the case and circumstances permit.

Few subjects are more important, than penal law and the administration of penal justice; few are beset with greater difficulties, both theoretical and practical; and few, if any, in modern times, have called forth the talents of more able men. Montesquieu, Beccaria, Voltaire, Dr. Priestley, Lord Kames, Dr. Paley, and, more lately, Mr. Bentham, Sir Samuel Romilly, Lord Brougham, and Mr. Livingston, have devoted themselves to its elucidation. Their writings abound with admirable views and philosophical analyses of the whole subject;—still but few of them comparatively have yet found their way into practical legislation. Reformation, however, in this respect, has proceeded much further in this country than in Great Britain; though it must be admitted that we have advanced with tardy steps. The English criminal law has been long and loudly complained of, for its unreasonable severity; so much so, that juries have habitually refused to lend themselves to the execution of its penalties, and, in order to turn them aside from the criminal, have taken upon themselves to render a verdict inconsistent both with law and

* Quoted in Brande's Manual of Chemistry, Vol. I. p. 125. London. 1821.

evidence.* This practice, however unjustifiable in itself, finds much palliation in the harshness of the law and its reckless disregard of human life, and shows how feeble the strongest law is in comparison with public opinion. The English penal law has lately been somewhat meliorated, but still demands vastly more emendation. The Louisiana Penal Code, prepared by the late Mr. Livingston, is a noble monument of his genius, industry, and enlightened views, and confers honor on the age and country which produced it.

One class of difficulties, in the way of penal legislation, consists in prejudices in favor of ancient usage and ancient institutions, and against all innovation of whatever kind; as if ancient times were not, as Lord Bacon remarks, by many ages, younger and less experienced than the times in which we live. Difficulties of another class spring from the character of criminals themselves, and from want of a definite acquaintance with the effects of principles and systems which have been tested by trial, and therefore want of adequate grounds of comparing them one with another. An enlightened legislator, too, will find a difficulty in determining what degree of indulgence is due to those who have generally been unfortunate before they became criminal, and to human nature itself, however low it may have fallen in the person of the criminal. Besides, persons innocent of any considerable crime cannot fully understand the feelings and state of mind of a criminal, and, therefore, must have great difficulty in adapting their legislation to the motives and other circumstances, which influence his conduct.

Lord Kames has taken the ground, that punishment ought to be inflicted on the broad principle of retributive justice, that the natural indignation consequent on the commission of crimes, ought to be the measure of the punishment; and, in this position, he is earnestly sustained by his biographer, Alexander Fraser Tytler (Lord Woodhouselee), in an elaborate argument.†

Most writers, however, take the ground, that “the object of

* See the *Edinburgh Review*, Vol. XIX., pp. 405, 406.

† See *Life of Lord Kames* by the above-named biographer, Vol. I. pp. 302 - 306; Vol. III. pp. 110 - 153.

all punishment is, the prevention of the offence in future ;” yet even this is but a narrow and very partial view of the object of punishment. Is the criminal himself, as a human being, entitled to no regard ? Punishment ought to be invariable, that is, whenever and upon whomsoever inflicted, it ought, under the same circumstances to be the same, or always equal to itself ; it ought to be capable of comparison with other punishments, analogous to the crime ;* salutary in the example which it furnishes ; economical ; remissible. It ought to restrain the convict from doing harm, conduce to his reformation, pay its own expenses, and, if possible, yield a profit, in the ordinary sense of the term ; be simple in its description, and so far popular as to shock none of the established feelings and prejudices of the community. Perhaps even this enumeration of the qualities, which punishment ought to possess, is incomplete. It is well to observe, too, that these qualities are not enumerated as all requisite to meet in any one mode of punishment, but only as the circumstances which ought to be kept in view when a mode of punishing is to be chosen. It is almost constantly necessary for the lawgiver to make his way amidst opposite difficulties, by making compromises, and yielding certain advantages, in order to secure others of a higher nature, but incompatible with those which he sacrifices.

So far as punishments are to be adjusted to the crimes intended to be prevented, we may trace the limits within which they

* It is very certain, that a mild punishment is sometimes more effectual to the end in view than a severe one ; and to this the analogy (as the term is here used) of the punishment to the offence seems considerably to contribute. This may be illustrated by citing an instance. It is customary in the British navy to give the men permission to go on shore for twenty-four hours at a time, and, if they exceed the allowance, to flog them. The fear of this punishment occasions numerous desertions, as may easily be supposed ; and, in order to prevent this evil, many captains refuse to grant permissions at all, however long their men may have been kept on board, or at sea. A certain officer fell upon a better remedy, by merely changing the punishment of the lash into one of those denominated *analogical* in Mr Bentham’s theory of punishments. If any man exceeded the limited time of twenty-four hours, he lost his next permission to go on shore ; if he exceeded forty-eight hours, he lost two turns, and so forth. The experiment succeeded completely ; the offence of remaining too long on shore did not become more frequent after the mitigation of the punishment, and desertions entirely ceased. *Edinburgh Review*, Vol. XXII. p. 9 ; *Kames’s Elements of Criticism*, Vol. I. pp. 237 – 240.

ought to be confined, upon the supposition that the lawgiver uses them as counteracting motives to determine men against yielding to their criminal propensities. Referring constantly to the subject of his operations, to wit, the mind of a person under temptation to commit the offence, he must apportion the punishment so as to counteract the temptation. To maintain, that men do not calculate when they commit crime, is quite erroneous, taken as a general position. It would be much nearer the truth to say, that no man, however inconsiderate, takes a step of such importance as the commission of a criminal act, without some deliberation or reasoning. At all events, one consideration is sufficient to justify an apportionment of punishments on this principle, even in cases where the offence flows from the most vehement passions. The knowledge of the punishment forms certain *habits of restraint*, by operating upon the mind in its cooler moments, when the incentives to violent excesses are at a distance; and a general or perpetual bias, thus given, will, in a great majority of cases, have its effect at the critical moment of incitement.

Governed by these views, we may arrive at several conclusions fundamental in the theory of punishments and of the utmost value in penal legislation. 1. The evil of the punishment must exceed the advantage arising from the crime; and under this head is comprehended the position, that, generally speaking, the stronger the temptation to commit any crime, the more severe ought to be the punishment; subject, however, to exceptions in extreme cases, which may easily be imagined. 2. Where the criminal act is such as to furnish clear proof of a habit or practice, the punishment should be in proportion, not to the gain derived from a single offence, but to the probable amount of profit reaped from a course of such conduct. 3. An addition must be made to the punishment, in order to compensate its want of certainty and proximity. Whatever punishment the law denounces, ought to be made as certain as the imperfections of police and jurisprudence will permit. And it seems a maxim, now universally agreed upon, that the certainty of the punishment is much more important in preventing crimes than its severity. "If it were possible," says Sir Samuel Romilly, "that punishment, as the consequence of guilt, could be reduced to an abso-

lute certainty, a very slight penalty would be sufficient to prevent almost every species of crime, except those which arise from sudden gusts of ungovernable passion. If the restoration of the property stolen, and only a few weeks, or even a few days, imprisonment were the *unavoidable* consequence of theft, no theft would ever be committed.”* 4. In cases where there is a temptation to commit different crimes, a more severe punishment should of course be denounced against the greater crime. One of the strongest arguments against multiplying the more severe punishments is deducible as a consequence from this proposition. 5. The more pernicious any crime is, the more safely may a severe punishment be assigned for the sake of preventing it; a rule, the justness of which, however self-evident, has been almost uniformly neglected by legislators. 6. The nominal amount of punishment, for the same crime, must often be varied at the discretion of the court, according to the circumstances of the delinquent, in order to inflict the same real amount of suffering.†

Neither the law of England, nor of this country, regards the debtor as a criminal, nor ought he to be so regarded, where his debts are the result of misfortune and not of misconduct; still such is the position in which he stands before society, when imprisoned for debt, that his case may, not only without violence, but on the ground of a close analogy, be brought within the subject now under discussion. The most approved arguments, by which this practice is usually justified, are, that it is the only effectual means of coercing payment; that provisions of law may be devised, by which, while the fraudulent debtor may be secured and payment coerced, the honest but unfortunate debtor may be relieved without much delay; and, finally, that the rights and just claims of the creditor, as well as the complaints and clamors of the debtor, ought to be listened to, respected, and maintained. These considerations are undeniably entitled to much weight.

* Observations on the Criminal Law of England, quoted in the Edinburgh Review, Vol. XIX. p. 403.

† See the Edinburgh Review, Vol. XXII. p. 7.

Imprisonment for debt has been entirely abolished in many of the United States ; in some others, it has been virtually, though not formally abolished ; in several of them (Connecticut, New Jersey, Pennsylvania, and Maryland), the law still remains unmitigated.* That the law, as it formerly existed in all the States, required and imperatively demanded great changes and ameliorations, can admit of no question ; but how far it can be changed, so that, doing no harm, it shall retain all the good which it has been accustomed to produce, may admit of just doubt.

The ground may be very safely taken, that no man, *in a free country*, ought to be imprisoned for a debt of a smaller amount than, say, twenty-five dollars exclusive of costs ; that all women, from respect to their sex, and all men beyond the age of sixty years, ought to be free from imprisonment for debt, whatever the sum may be. Some further emendatory provisions of the ancient law might, without doubt, be useful, and some have been suggested from a most respectable quarter.† The importance of the ameliorations suggested above, slight as they may appear, may be estimated by inspecting the numerous details on this subject, which have been published. The details, to which I refer, are of a melancholy and painful interest, but my limits do not permit me to give even a summary of them.‡

All experience teaches, that it is best to *reform gradually*. A learned judge, who has had very great experience in the administration of criminal law in one of our city courts (the Municipal Court of Boston), once remarked to me ; “ It is impossible to remedy all the evils of society ; and, when one evil is believed to be cured, another of equal, if not of greater magnitude, is frequently seen to break forth, in an unexpected quarter.” He illustrated his remark by stating, that, since imprisonment for debt had been abolished, as a means of coercing payment in Massachusetts, the number of indictments for obtaining goods on false pretences had manifestly increased within the jurisdiction of his court.

* See Tenth Report of the Boston Prison Discipline Society, pp. 9, 10.

† See Fifth Report of the Boston Prison Discipline Society, p. 54.

‡ See “ The Penitentiary System of the United States,” by Messrs. Beaumont and Tocqueville, — Dr. Lieber’s translation, p. 183 ; — and more particularly the Reports of the Boston Prison Discipline Society, for the years 1830 — 1832.

The codification of the law, that is, its reduction to an authoritative system, is recommended by various considerations, which address themselves to every man of patriotic feelings and spirit. It seems too plain to admit of argument, that the people who are to obey the laws ought, *as far as possible*, to have the means of understanding them. The object of reducing them to a code is, to give greater certainty and simplification to the principles of the law, to rid its practice more effectually of antiquated forms, to make its phraseology more intelligible to persons of good understanding not of the profession, to diminish the expense of its administration, and to remove from the minds of the common people any jealousy, well or ill founded, which may exist on the general subject of the law. That the codifying of the law will banish litigation, which proceeds in so many cases from the infirmities of our nature, the imperfection of all language, and the infinite variety of circumstances in human affairs, it would be entirely visionary to expect. But it is confidently believed, that by reducing to a uniform and continuous text, and digesting under appropriate titles, the mass of scattered laws, litigation may be considerably diminished, the administration of justice may be facilitated, a knowledge of the law be made more accessible to the community generally, and public confidence in the judiciary be thereby increased. Such results, and particularly the last, are highly desirable. It is not sufficient that the laws should be righteously administered ;—in a popular government, like that under which it is our happiness to live, it is equally desirable, that the tribunals should be *strong in the affections* of the community. The law must *be respected* as well as obeyed, or it will not long be obeyed. It is the judiciary which chiefly brings the government within the sight, and home to the interests, of the people ; and it is well worthy of consideration, how the confidence of the people, in this branch of the government, may be confirmed, perpetuated, and, if possible, increased.*

The law is accumulating with a rapidity almost incredible ; and, with this accumulation, the labor, both of students and of the professors of the law, is rapidly augmenting. Both are in some

* See Governor Edward Everett's Message to the Legislature of Massachusetts, June 6th, 1836.

danger of being buried alive, not in the catacombs, but in the labyrinths of the law. Thus, too, it was in ancient times. When the Emperor Justinian directed his chancellor, Tribonian, early in the sixth century, to associate with him a number of skilful civilians, and to assume the great task of collecting the entire body of the Roman law, which had been accumulating for fourteen centuries, into one systematic code, he and his associates found this law dispersed in two thousand volumes, and in upwards of three millions of small tracts or fragments, detached from the writings of the sages, which it was necessary to read and understand, in order to make the selections. The size of these volumes, and the quantity of matter in these tracts and fragments, we cannot well ascertain ; but it is by no means probable, that they exceeded the quantity of our law, embracing, as it does, the great body of the English law. *

To this state of things there seems to be but one adequate remedy, and that is, a digest, under legislative authority, of those parts of our jurisprudence, which have become well settled, and have otherwise acquired scientific accuracy. We may thus have a general code, which will present, in its positive and authoritative text, the most material rules to guide the lawyer, the statesman, and the private citizen. It is obvious, however, that such a digest can apply only to the law, as it has been applied to human concerns *in past times*. But by revisions, at periods more or less distant, it may be made to reflect all the light, which intermediate accessions may have thrown upon our jurisprudence. To attempt more than this, would be a vain labor. To believe, that all human concerns *for the future* can be provided for in a code, speaking a definite language, is to indulge in the theoretical extravagances of some philosophical jurists, whose best apology is, their good intentions.

It will be an achievement worthy of the best endeavours of our legislators, statesmen, and lawyers, to reduce *the past* to order and certainty. And we have examples in which this has been so triumphantly accomplished, as to put the enterprise beyond the reach of cavil. The Pandects of Justinian, to which I have

* Præf. ad Dig. § 1.—Kent's Commentaries on American Law, Vol. I. p. 499.

before adverted, are a monument of imperishable glory to the wisdom of the age in which they were digested ; they gave to Rome and to the civilized world a system of civil maxims, which has not been surpassed in usefulness and equity ; they superseded, at once, the immense collections of former times, and left them to perish in oblivion. Several of the United States, too, have digested their Statute Law to their satisfaction, and in this way have made a successful beginning of an undertaking, so desirable to be brought to a completion. The modern code of France, moreover, embracing, as it does, the entire elements of her jurisprudence in the rights, duties, relations, and obligations of civil life ; the exposition of the rules of contracts of every sort, including commercial contracts ; the descent, distribution, and regulation of property ; the definition and punishment of crimes ; the ordinary and extraordinary police of the country ; and the enumeration of the whole detail of civil and criminal practice and process, is, perhaps, the most finished and methodical treatise of law, that the world ever saw. This code forms, also, the law of Holland, and, with comparatively few alterations, has been adopted by the State of Louisiana, as its fundamental law.

The opinion is manifestly gaining ground, that it would be practicable to incorporate into a uniform code, along with the Statute Law, those numerous principles of the Common Law, which are definitely settled and well known, and which, without being reduced to the form of a positive and written text, have been and still are left to be applied by the courts, whenever the occurrence of cases requires it. Of this difficult question, it is fortunately not required of me to hazard an opinion, as I can cite the judgment of another, much more entitled to be heard on this subject than myself. Of the modern code of France, Mr. Justice Story says, “The materials of it were to be sought for among an almost infinite variety of provincial usages and customary laws ; and were far more difficult to reduce into system, than any which belong to the common law. It is left to the future jurists of our country and England to accomplish for the common law, what has been so successfully demonstrated to be a practicable problem in the jurisprudence of other nations ; a task, which the modest but wonderful genius of Sir William Jones did not scru-

ple to believe to be within the reach of a single mind successfully to accomplish." *

3. The penitentiary system, contemplated as a means of meliorating the condition and promoting the welfare of mankind, might have been comprised under the view which I have taken of our penal jurisprudence, but its intrinsic importance has induced me to give it a distinct consideration. The first idea of a reform in American prisons belongs to the Quakers of Pennsylvania. They had always protested against the very severe laws, which the colonies inherited from the mother country. In 1786, they succeeded in making their voice heard; and, from this time, the punishment of death, mutilation, and the whip were successively abolished, in almost all cases, by the Legislature of Pennsylvania. In 1797, the reform of Pennsylvania was imitated by New York, and has since gradually made its way into favor and been adopted by most of the United States. †

In regard to most of the institutions established in this country, we have had the experience of Europe with which to begin; but, in establishing and building up this institution, American as it is in its origin, it was inevitable, that many mistakes should be made, which a stock of experience would have prevented. At first, classification of the criminals was attempted, in order to counteract the usual effect of their mutually contaminating each other when placed in rooms promiscuously. Still this mutual contamination was very little, if at all checked. This plan proving a failure, new prisons were built, in which a solitary cell was appropriated to each convict. This he was not to leave day or night, and all labor was denied him in his solitude. No expense was spared to render this experiment successful, and the public was impatient to know the result of the new trials. The northern wing of the Auburn (N. Y.) prison having been nearly finished in 1821, eighty prisoners were placed there, each in a separate cell. This trial, from which so happy a result had been anticipated, was fatal to the greater part of the convicts. In order to

* Miscellaneous Writings, p. 437, to which this and the preceding paragraph are otherwise considerably indebted.

† See Penitentiary System of the United States, by Messrs. Beaumont and Tocqueville, — Dr. Lieber's translation, pp. 1-3.

reform them, they were subjected to complete isolation. But this absolute solitude, if there is nothing to alleviate it, is beyond the strength of man ; it destroys the criminal without intermission and without pity ; it does not reform him, it kills him. The deepest depression and melancholy, insanity, despair, and death, were the lot of the unfortunate men on whom this experiment was made.

Up to this time, the system of penitentiary discipline was nowhere crowned with the anticipated success. Especially this last experiment, which had been tried at so much expense, was of a nature to put the entire penitentiary system in peril. After the melancholy effects of isolation, it would have been a natural reaction, to reject the entire penitentiary principle. With a perseverance, however, above all commendation, instead of accusing the system itself, the blame was laid on its *defective execution*. The idea was not given up, that the solitude, which causes the criminal to reflect, exercises a beneficial influence ; and the problem now was, to find the means, by which the evil effect of total solitude could be avoided without giving up its advantages. It occurred, that this end could be attained, by leaving the convicts in their cells during the night, and by requiring them to work during the day in common workshops, obliging them at the same time to observe absolute silence. This change was introduced in 1823.*

The establishment at Auburn soon excited public attention, in a very high degree. It has met with extraordinary success, and has placed the penitentiary system beyond the risk of failure. The chaplain (the Rev. B. C. Smith) has described the system, as it is seen at Auburn, with equal clearness, beauty, and, I presume, truth.

“ It presents itself to us,” says he, “ with all the advantages of an extreme simplicity. It is thought, that two depraved beings united, will mutually corrupt each other ; they are, therefore, separated. The voice of their passions, or the tumult of the world, has bewildered and led them astray ; they are isolated, and thus led to reflection. Intercourse with the world had per-

* Penitentiary System of the United States, &c., pp. 3-6.

verted them, they are condemned to solitude and silence. Idleness had depraved them, they are made to labor. Want had led them to crime, they are taught a useful art. Intemperance had enervated their bodily, mental, and moral powers ; they are trained to habits of entire abstinence. Ignorance had held them in darkness, by instruction in the Sunday School they are enlightened. Inveterate habits of sin had almost obliterated their sense of moral obligation, they are brought under the redeeming influence of religious truth. They have violated the laws of their country, they endure the punishment of this violation. Their lives are protected, their bodies are kept sound and healthy ; but their mental suffering is unequalled. They are miserable, they deserve to be so. Reformed, they will be happy in the society whose laws they will have been taught to respect. It is difficult to conceive of a system more perfectly and philosophically calculated to secure the great end which it has in view.

“ And what it promises in theory,” continues he, “ I confidently affirm, it accomplishes in its practical operation. This I should maintain with great confidence, had I no other evidence of it than what I find in its apparent effects within the prison walls. It does appear to lead the thoughtless to reflection ; the reckless, to circumspection ; the vindictive, to a mild and forgiving temper ; the lawless and refractory, to habits of cheerful obedience ; the intemperate, to a sober determination to abandon a course which has led them to infamy and the prison ; the ignorant, to an ardent thirst for instruction ; the irreligious, to a clearer view of the obligations, a more conscientious regard for the precepts, and a juster appreciation of the hopes and consolations, of our holy religion.”

Again, he says, “ These are confidently claimed to be the actual and legitimate effects of the system, as a whole. Without the checks and constraints of its admirable police organization, the religious instructions, I am fully aware, would be of little or no avail ; and I am as thoroughly convinced, that, without the aid of religious influences, the other part of the system would fail to produce any radical or permanent changes in the character of its subjects. In the combination of both, lies the

secret of their power. The one, by coercion, suspends the operation of vicious influences upon their minds, and holds them in a favorable posture to be acted upon by moral motives ; while the other pours in upon them the light of truth, and brings to bear the great and commanding motives of the Gospel, which never fail, when once they gain access, to affect and amend the heart."

Still again ; " It is extremely interesting and gratifying, to witness their power, when brought into united operation, in subduing some of the most obdurate and desperate of men. Many a man who enters the prison with a brow of brass, protesting his innocence, swearing revenge, and bracing himself up to go through his term with unflinching obstinacy, is soon found weeping in solitude over his folly, confessing his guilt, voluntarily disclosing his secret crimes, professing gratitude for his arrest, yielding quietly and cheerfully to a rigid course of discipline, and, on leaving the prison, acknowledging with tears, that his imprisonment has been his greatest blessing. Something like this is the evident effect upon the minds of the convicts, in a great majority of instances. The number of those who pass through their term of imprisonment unaffected, without any similar changes of feeling and purpose, is comparatively small." He concludes thus ; " Such," I repeat, " are the apparent effects of the system here ; and we have all the evidence of their reality, that the circumstances of the case will possibly admit."

These statements are sustained by the most convincing evidence, of which the nature of the case admits, and to which no exception can well be taken, to wit, letters written by gentlemen of respectability and intelligence, testifying to the habits and characters of the discharged convicts. The chaplain states, that he has received 449 such letters, and that he has examined them all. He classes the convicts thus, — unreformed, 78, — deranged, 3, — somewhat improved, 63, — much improved 76, — decidedly reformed, and sustaining good characters, 229, — total, 449.*

The only plan of penitentiary discipline, which at present rivals the Auburn plan, is the one adopted by the State of Penn-

* See Tenth Annual Report of the Boston Prison Discipline Society, pp. 16, 17.

sylvania, which, in 1829, reformed its system of prison discipline ; having built a new penitentiary near Philadelphia. According to this plan, the isolation of the convicts is strict and perpetual. Each has a distinct cell to himself, in which he labors, and which he never leaves. No one convict ever sees another ; to his former associates, to his relatives, and to all the concerns of the world, he is buried alive. The prison is so constructed, that, on Sundays, the prisoners, may by putting their ears in a particular position, listen to the voice of a preacher.

This system has been earnestly advocated by the late Mr. Roberts Vaux and Edward Livingston, among many others ; and certainly strikes a transient visiter as containing every thing desirable in a prison, as the writer himself can witness, who saw it in the summer of 1835. The late William Roscoe has written *against the system* ; but perhaps it has not yet been long enough in operation, to furnish us with results sufficient to institute a decisive comparison of it with the Auburn plan. Experience is the only sure teacher ; — great expectations have been formed of this system, but its results, as far as we have them, have not yet met those expectations. Perhaps the system may yet be modified, so as to accomplish its benevolent ends. Mr. Louis Dwight, author of the eleven very valuable reports of the Boston Prison Discipline Society, and who has had more experience on this whole subject than any other man, insists that this system does not possess the merits which have been customarily ascribed to it. He states, that all communication between the convicts is not in fact cut off as is generally believed ; that, compared with the Auburn plan, it is unhealthy already, and may be expected to become more so continually ; that it tends to produce insanity ; that the superintendent of this prison has resorted to (compelled to such a course we may presume) the utmost severities of discipline, mild measures not sufficing ; that it is inferior in respect to the earnings of the convicts to the Auburn plan ; that, there being no chapel, no Sunday School, and no morning or evening prayers, the system does not admit of effective moral and religious instruction, and, therefore, that it is inferior in its reforming power and tendency ; in proof of which, the recommitments are more numerous than on the Auburn plan.

“ Finally,” he says, “ we *have been* willing to see it tried ; but, the friends of the system being witnesses of its present character, *we are almost sick of the experiment* ; it fails so much *in health, in reformation, in earnings, and in moral and religious instruction.*”* We may well believe, that any system of discipline, so far as reformation of the convicts is concerned, in which stated devotional exercises and effective religious instruction are not a fundamental part, must, in a great measure, fail of its object. In truth, this conclusion seems to be forcing itself on the attention of reflecting men. The inspectors of this very Philadelphia Penitentiary, in their last Report to the Legislature, say, “ The Board are constrained, by a sense of duty to the commonwealth, as well as to the unhappy persons under their care, most respectfully, but urgently, to present this subject (the religious instruction of the convicts) again to the attention of the Legislature, and to say, that, in our judgment, the benefits of the system cannot be fully and completely exhibited without a systematic course of religious instruction. Provision is made by law for the relief of the body, when diseased ; but there is none to minister to the mind, when suffering under the horrors of an awakened conscience.” †

4. Another way of promoting the welfare of mankind consists in applying the principles of insurance more extensively than they have been hitherto applied. Insurance seems to have been unknown to the Romans, and all other ancient nations, and not to have been introduced into Europe until comparatively late times. By the end of the thirteenth century, the Italian States carried on a considerable maritime commerce, and it is very probable that marine insurance came into use in Italy about that time ; from whence it extended itself to other countries of Europe. From protection against the perils of the sea, the principle was, after considerable delay, applied to guard against the risks of disaster by fire. The great benefits of marine insurance, by means of which a merchant may safely risk his entire capital in

* See the Eleventh Annual Report (1836) of the Boston Prison Discipline Society, pp. 38 - 40.

† Ibidem, p. 45.

hazardous enterprises, and of insurance against fire, are too well known and too universally acknowledged to require illustration.

Insurance against marine risks and against the calamities of fire, however, do not require any special applications of the mathematics ; and it was not until about the middle of the seventeenth century, that the doctrine of probabilities (doctrine of chances, generally so called by English writers) began to be successfully applied to life-insurances, annuities, reversions, &c. Establishments for effecting insurance, of all these various kinds, have long been very numerous in France and England, and are continually becoming more known in this country.

It may be well to observe, that prejudices have existed, to some extent, against life-insurances, and are believed to exist still, among persons whose merits entitle their feelings and opinions to the most respectful consideration. Their objections seem to be referable to two particulars, — to the term, life-insurance ; as if man were assuming to take the dispensation of life and death from the hands of the Almighty, — and to the doctrine of chances or probabilities, by which life-insurances, annuities, &c., are calculated. Both these difficulties, however, are instantly removed, when the true meaning of the terms chance and life-insurance, are explained.

It may be admitted, that the term life-insurance is an unfortunate one, in some respects ; but let it be called a guaranty that a sum of money will be paid at the decease of a person, or termed a means of leaving a legacy to a family or heirs, which is its true meaning, and it will at once become intelligible to all ; and all reasonable objection against the term, and against the institution itself, must at once vanish.

So, also, in respect to the term, chance. It is to the imperfection of the human mind, and not to any irregularity in the nature of things, that our ideas of chance and probability are to be referred. Events, which to one man seem accidental and precarious, to another, who is better informed, or who has more power of generalization, appear to be regular and certain. Contingency, verisimilitude, probability, and chance are, therefore, *the offspring of human ignorance*, and, with an intellect of the highest order, cannot be supposed to have any existence. Chance means an event,

or a series of events, not regulated by any law that we perceive. Not perceiving the existence of a law, we reason as if there were none, or no principle by which a previous state of things determines that which is to follow. But the farther our knowledge has extended, the more phenomena have been rescued from the dominion of chance, and brought within the government of known causes, and the farther off have the boundaries of darkness and uncertainty been carried.* No such thing, therefore, as chance can exist in the Divine mind, nor in the nature of things; still, with respect to us, the term has a real and important meaning, derived from the relation which our imperfect knowledge sustains to the laws by which all things are regulated. The only caution to be suggested, is, that we use it with a full knowledge of its meaning, and so that it may not exclude from any event the Providence of God.

To the members generally of the three learned professions, to every one whose income arises from his own personal exertions or talents, to every one having a life income, or receiving a salary that will cease at his death; to every person engaged in commerce, manufactures, or any other employment, whose own immediate exertions are the support of the establishment in which he is engaged; to persons generally, who have not yet acquired a sufficiency to leave at their death a comfortable maintenance for their wives, children, or dependents, — to all such, and to many other classes of persons, who cannot be particularly enumerated, life insurance and annuities become a subject of vast importance and are well adapted to their situation. Their families are frequently nurtured in ease and indulgence, and, in a greater or less degree, they have been accustomed to the refinements and elegances of superior society. But their condition is lamentably reversed, when death deprives them of their natural protector. The comforts of life vanish from around them; they are unable to struggle through the world by the labor of their hands; and, while they mourn the loss of a husband or a father, want, with its attendant evils, embittered too by the remembrance of happier

* La Place, *Essai Philosophique sur les Probabilités*. — *Edinburgh Review*, Vol. XXIII. pp. 320, 321.

days, closes upon them and completes their melancholy lot. We frequently meet with cases of this description.

There are few persons, in any of the situations which have been described, who, when the subject is brought before them and understood, must not be desirous of appropriating some small part of their present emoluments or profits, not only with a view to secure a suitable provision for their families at their decease, but likewise for their own satisfaction, to render their own lives easy and comfortable under the pleasing reflection, that they have guarded against one of the great evils of a premature death.

This may well be illustrated by an example. A man is in possession of an income which enables him to support his family, but this income will cease with his life. He is unwilling that the subsistence of his wife and children shall depend on an event so uncertain as life, and is anxious to raise a fund that will provide for their relief upon its failure, say \$5,000 ; but his only means of raising this fund is by savings from his income. From this, he cannot spare more than \$125 a year, the usual premium on the insurance of \$5,000. Upon such scanty means, it is probable that he will despair of accumulating the desired sum, and, therefore, will expend that which he might save, in present indulgences. Yet, in fact, in about twenty-one years, that annual saving, improved at compound interest, would realize \$5,000 ; and such a number of years, a young man has an equal prospect of living. This is incontrovertible, as a matter of calculation. Still, in practice, it must be confessed, that the case is but too discouraging. For, first, he will find it extremely difficult to invest the small receipts of interest immediately as they arise, so as to give them the effect of compound interest. And again, he has an equal chance of not living to complete his design. But his object, otherwise so distant and uncertain, is, to all practical purposes, accomplished, from the moment he effects a life-insurance upon this plan.

It must appear manifest, to all who will examine and consider the subject, that if this is not the best, it is at least one of the best possible modes that can be devised, for a person wishing to set apart a portion of his annual receipts, with a view to make some provision for a surviving family. In truth, life-insurance is

applicable to the wants of the community in so great a variety of ways, that it is difficult to select particular instances, without too much diffuseness. A creditor may secure a debt which he may be in danger of losing in case of the death of his debtor ; and persons may secure expectancies which they may have, depending on the lives of others, by insuring the lives upon which their interest depends. These kinds of insurance, like insurance against fire or the perils of the ocean, are wise provisions against the contingencies of life, and will become more and more common, as prudence and foresight gain ground in any community.

Life-insurances ought to be more general than other insurances, inasmuch as the event, against which they provide, is certain to happen sooner or later ; and there are few, perhaps it might be said no cases, in which the insured is not greatly the gainer by the transaction. If he has paid, in insurance, nearly or quite the amount which is received, it is like so much laid up in a savings bank, which might not otherwise have been saved ; and the person or persons for whose benefit the insurance was effected, the insured or his heirs, receiving the full amount at once, are able to apply it more effectually, than if it were to be received in small portions. A man who has his life insured, has taken considerate precaution for those depending on him, and has evinced his acquiescence in the uncertainty of human life, which is the order of Providence, and one of the designs of which is, we may not doubt, to promote that precaution and solicitude for the welfare of others, which the present state of society preëminently demands.

The practice of life-insurance, if encouraged and promoted until it becomes general, will have a powerful influence in increasing the comforts and independence, and consequently the peace and happiness, of mankind. Then we shall, in future, see in this country, as there are at this moment in England, thousands of families in the enjoyment of comforts, of which they would have been destitute by the death of their heads or relatives, had it not been for such provident precaution. It may well be said, that scarcely any subject of equal importance is, at present, so little understood or attended to, by the people of the United States, and at the same time, no plan, when understood, promises to be

more warmly or universally approved. The object of all insurance, of whatever kind, is, to equalize losses, and to distribute among many, burthens and calamities, which must otherwise overwhelm an individual.

5. Lastly, the welfare and happiness of mankind, may, beyond measure, be advanced, by promoting the spirit and the prevalence of peace. The calamities, which mankind have suffered from war, are too great to admit of any adequate description. Cicero refers to a treatise, written by Dicæarchus, a copious writer and distinguished Peripatetic philosopher, concerning the destruction of mankind (*de interitu hominum*), in which, it seems, he enumerated all the great causes, which have been most destructive to mankind, pestilence, famine, inundations, irruptions of wild beasts, &c.,* — and came to the conclusion, that a vastly greater number of men had been destroyed by wars and convulsions, than by all other calamities combined.†

Originally, wars knew no other termination than the destruction of one of the parties ; and generally this was not accomplished, without irreparable injury being done to the other. Both parties were severe, if not equal, sufferers. Revenge and retaliation were the spirit with which these contests were waged, and the conflicts to which those direful passions led, were, above measure, sanguinary and destructive. “Ten years were employed,” says Sismondi, “in subjecting the Gauls to the Romans. And, if we believe the conqueror himself, the conquest was not achieved but by a frightful massacre. Never did man cause so much blood to flow as Cæsar ; and, in his narrative, the Gallic nation appears to have been destroyed rather than conquered.”‡ Prisoners of war were either indiscriminately put to death on the field of battle, or were reserved for the still more cruel fate of torture. Domestic servitude or an enormous ransom was the mildest lot, which, according to universal usage, they could expect. Frequently entire countries, in the utter devastation and overwhelming ruin with which they were overtaken, bore melancholy witness of the fierce and unrelenting passions awakened by war.

* Ezekiel xiv. 21.

† De Officiis, Lib. II. c. 5.

‡ Histoire des Français, Tome I. p. 5 ; C. Julii Comment. de Bello Gallico, *passim*.

Although the spirit of modern warfare has been very much softened, war still continues to be the greatest calamity with which a righteous Heaven punishes the guilty nations, which call down its wrath upon themselves. It is still the most desolating of all national scourges. It is desolating, in its destruction of human life, in its interruption of all the chief employments and pursuits which adorn society, and, especially, in the demoralization by which it strikes at the root of national prosperity and happiness. Christianity does not positively forbid war, but its spirit and tendency are adverse to violence of every kind, and to the rousing of the evil passions, which is an almost inevitable consequence of a resort to violence and strife. It enjoins its mild and peaceable spirit on every individual, and trusts, that, as this divine spirit becomes more and more generally the rule by which men's actions are governed, this mode of terminating national disputes, condemned, as it is, by right reason and enlightened policy, as much as it is opposed to its own spirit and precepts, will eventually be discontinued, and will ultimately be known only as matter of history, among other records of the crimes, follies, and absurdities of mankind, and of the calamities and sufferings, with which, under the promptings of their evil passions, they have been willing to afflict themselves and one another.

But, while we may console ourselves with the reflection, that the fierce and unrelenting spirit of war has been mitigated by Christianity, since the days when Dicæarchus wrote his treatise concerning the destruction of mankind, and, trusting in God, may refresh ourselves with the belief, that "peace on earth, good-will toward men," will, in a præëminent sense, at "the times and seasons, which the Father has put in his own power," prevail universally; still the destruction of human life, the waste of treasure, and the misery of every kind, entailed by war, continues to be most lamentable and indescribable. It has been calculated, in the Paris "Quotidienne,"* that the French revolution, from 1789 to 1815, cost a loss in lives of 25,707,139 men, slain in battle, killed in popular tumults, and executed. The waste of treasure to France, during the same period, has been estimated at £ 600,000,000 sterling, — nearly 3,000,000,000 of dollars.

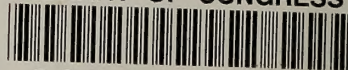
* Walsh's National Gazette, for March 12th, 1829, and December 23d, 1830.

During the same period, too, France is stated to have suffered from sixty-two thousand conflagrations, conspiracies, and insurrections. Dr. Franklin was accustomed to say, "that he almost believed there never had been a good war, or a bad peace." Again, says he, "At length we are in peace, God be praised, and long, very long, may it continue. All wars are follies, very expensive and very mischievous ones. When will mankind be convinced of this, and agree to settle their differences by arbitration? Were they to do it, even by the cast of a die, it would be better than by fighting and destroying each other." Washington says, "It is time for the age of knight-errantry and mad heroism to be at an end. Young military men, who want to reap the harvest of laurels, care not, I suppose, how many seeds of war are sown; but, for the sake of humanity, it is devoutly to be wished, that the manly employment of agriculture, and the humanizing benefits of commerce, would supersede the waste of war and the rage of conquest; that the swords might be turned into ploughshares, the spears into pruning-hooks, and, as the Scripture expresses it, the nations learn war no more."

The spirit and design of our institutions are essentially and preëminently peaceful; as much so, perhaps, as the present condition of human nature, and of human affairs, can well permit. No sentiment has been more universal, from the establishment of the independence of the country, than that its essential interest consists in cultivating amicable relations with all nations. The entire American people have sanctioned this sentiment in the most emphatic of all ways, to wit, by declaring, on the face of the most elaborate, solemn, and authoritative instrument (the Constitution of the United States) which they have ever enacted, that its great objects are, "to form a more perfect union, establish justice, insure domestic tranquillity, *provide for the common defence*, promote the general welfare, and secure the blessings of liberty to themselves and their posterity." Only one of these objects has any reference to war whatever, and that is limited to war in self-defence.



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